
DRAFT STATUTORY INSTRUMENTS

2015 No.

The Recall of MPs Act 2015 (Recall Petition) Regulations 2015

PART 1

GENERAL

Citation and commencement

1. These Regulations may be cited as the Recall of MPs Act 2015 (Recall Petition) Regulations 2015 and are to come into force on the day after the day on which they are made.

Application

- 2.—(1) These Regulations apply to the United Kingdom with the following exceptions.
- (2) The following provisions apply to England and Wales and Scotland only—
- (a) regulation 27 (signing procedure);
 - (b) regulation 51 (absent signing at any petition for a definite or an indefinite period);
 - (c) regulation 53 (absent signing at a particular petition);
 - (d) regulation 55 (absent signers lists);
 - (e) regulation 59 (the personal identifiers record);
 - (f) regulation 64 (additional requirements for applications for a proxy signature for a definite or indefinite period on the grounds of blindness or other disability);
 - (g) regulation 67 (additional provision concerning the requirement that an application for absent signing must be signed by the applicant);
 - (h) regulation 68 (additional requirements for applications for a proxy signature in respect of a particular petition);
 - (i) regulation 69 (additional requirements for applications for an emergency proxy signature in respect of a particular petition);
 - (j) regulation 71 (closing date for applications);
 - (k) regulation 83 (form of postal petition statement);
 - (l) regulation 94 (spoilt postal signing sheets);
 - (m) regulation 96 (lost postal signing sheets);
 - (n) regulation 106 (confirming receipt of postal signing statements);
 - (o) regulation 107 (procedure in relation to postal petition statements: personal identifier verification);
 - (p) regulation 110 (list of rejected postal signing sheets);
 - (q) regulation 111 (checking of lists of rejected postal signing sheets);
 - (r) regulation 115 (notification of a rejected postal petition statement);

- (s) regulation 116 (requirement to provide fresh signature following rejection of a postal petition statement);
 - (t) regulation 127 (disturbances at petition meetings);
 - (u) paragraphs (1) to (2) of Schedule 1 (supply of register).
- (3) The following provisions apply to England and Wales and Northern Ireland only—
- (a) regulation 44 (delivery of documents to the registration officer);
 - (b) regulation 45 (orders for production of documents);
 - (c) regulation 46 (retention of documents).
- (4) The following provisions apply to England and Wales only—
- (a) regulation 74 (appeals);
 - (b) Part 2 of Schedule 4 (the Election Petition Rules 1960).
- (5) The following provisions apply to Northern Ireland only—
- (a) regulation 28 (signing procedure);
 - (b) regulation 31 (refusal to deliver signing sheet);
 - (c) regulation 52 (absent signing at any petition for an indefinite period);
 - (d) regulation 54 (absent signing at a particular petition);
 - (e) regulation 56 (absent signers lists);
 - (f) regulation 65 (additional requirements for applications for a proxy signature for an indefinite period on grounds of blindness or other disability);
 - (g) regulation 70 (additional requirements for applications in respect of a particular petition);
 - (h) regulation 72 (closing date for applications);
 - (i) regulation 76 (appeals);
 - (j) regulation 84 (form of declaration of identity);
 - (k) regulation 95 (spoilt postal signing sheets);
 - (l) regulation 97 (lost postal signing sheets);
 - (m) regulation 105 (procedure in relation to declaration of identity).
- (6) The following provisions apply to Scotland only—
- (a) regulation 47 (retention and disposal of documents in Scotland);
 - (b) regulation 75 (appeals).

Interpretation

3.—(1) In these Regulations—

“the Act” means the Recall of MPs Act 2015⁽¹⁾;

“the 1983 Act” means the Representation of the People Act 1983;

“the 1985 Act” means the Representation of the People Act 1985⁽²⁾;

“the 2000 Act” means the Representation of the People Act 2000⁽³⁾;

(1) 2015 c. 25.
(2) 1985 c. 50.
(3) 2000 c. 2.

“the 2001 Regulations” means the Representation of the People (England and Wales) Regulations 2001⁽⁴⁾;

“the 2001 (Scotland) Regulations” means the Representation of the People (Scotland) Regulations 2001⁽⁵⁾;

“the 2008 Regulations” means the Representation of the People (Northern Ireland) Regulations 2008⁽⁶⁾;

“absent signer” means an elector who is entitled to sign a petition by proxy or an elector or proxy who is entitled to sign the petition by post; and absent signing is to be construed accordingly;

“allotted petition signing place” has the meaning given by regulation 16 (allotment of petition signing places);

“anonymous entry” is to be read in accordance with section 9B of the 1983 Act (anonymous registration);

“corresponding number lists” has the meaning given by regulation 11 (corresponding number lists);

“Clerk of the Crown” means Clerk of the Crown in Chancery;

“completed corresponding number lists” has the meaning given by regulation 37(1)(e) (procedure on close of petition);

“daily verification” means the daily verification of the signing sheets in accordance with regulation 33 (daily verification and storage);

“declaration of identity” is the declaration referred to in regulation 84;

“disability” in relation to doing a thing, includes a short term inability to do it;

“edited register” has the meaning given by regulation 93 of the relevant Regulations, and (for that purpose) the relevant Regulations are—

- (a) in relation to England and Wales, the 2001 Regulations;
- (b) in relation to Scotland, the 2001 (Scotland) Regulations; and
- (c) in relation to Northern Ireland, the 2008 Regulations;

“elector” means a person who is entitled to sign a petition by virtue of section 10 of the Act (persons entitled to sign a recall petition);

“list of lost postal signing sheets” for England and Wales and Scotland, has the meaning given by regulation 96(8)(lost postal signing sheets); and for Northern Ireland, has the meaning given by regulation 97(7) (lost postal signing sheets);

“list of proxies” for England and Wales and Scotland, has the meaning given by regulation 55(3)(absent signers lists); and for Northern Ireland has the meaning given by regulation 56(3) (absent signers lists);

“list of rejected postal signing sheets” has the meaning given by regulation 110 (list of rejected postal signing sheets);

“list of spoilt postal signing sheets” for England and Wales and Scotland, has the meaning given by regulation 94(9) (spoilt postal signing sheets); and for Northern Ireland has the meaning given by regulation 95(8) (spoilt postal signing sheets);

(4) [S.I. 2001/341](#).
(5) [S.I. 2001/497](#).
(6) [S.I. 2008/1741](#).

“marked copies of the register” means the copies of the register marked in accordance with regulation 27 (signing procedure: England and Wales and Scotland) and regulation 28 (signing procedure: Northern Ireland);

“official petition notice” has the meaning given in regulation 18 (issue of official petition notice);

“overseas electors declaration” means a person entitled to vote who has made a declaration made under section 2 of the 1985 Act (registration of British citizens overseas) and is registered or entitled to be registered in pursuance of it under that Act;

“official mark” has the meaning given by regulation 12 (the official mark);

“parliamentary election rules” means the rules prescribed in Schedule 1 to the 1983 Act (Parliamentary Election Rules);

“petition clerk” means a person authorised by the petition officer to preside over the proceedings at the petition signing place and carry out on behalf of the petition officer any functions of the petition officer under the Act or these Regulations;

“petition signing place” means a place designated under section 7(1)(a) of the Act (where and from when the petition may be signed) at which a petition is to be made available for signing;

“postal petition statement” is the statement referred to in regulation 83 (form of postal petition statement: England and Scotland and Wales);

“postal signers list” for England and Wales and Scotland, has the meaning given by regulation 55(2) (absent signers list); and for Northern Ireland has the meaning given by regulation 56(2) (absent signers list);

“postal signing sheet” is a signing sheet issued to a postal signer or proxy postal signer in accordance with Part 5 (issue and receipt of postal signing sheets);

“proxy postal signers list” has the meaning given by regulation 58(9) (signing the petition as a proxy);

“proxy” means a person who has been appointed by an elector to sign the petition on behalf of the elector;

“qualifying address” in relation to a person registered in the register, is the address in respect of which that person is entitled to be registered in the register of parliamentary electors;

“register” means the register of persons compiled by the petition officer under regulation 4 (the register);

“register of parliamentary electors” means the register of parliamentary electors under section 9 of the 1983 Act (registers of electors);

“service voter” means a person entitled to vote who has made a service declaration within the meaning of section 15 of the 1983 Act (service declaration) and is registered or is entitled to be registered in pursuance of it under that Act;

“signing sheet” has the meaning given by regulation 10 (the signing sheet);

“special lists” means the postal signers list, the list of proxies and the proxy postal signers list;

“tendered signing list” has the meaning given by regulation 30(11) (tendered signing sheets);

“tendered signing sheet” is a signing sheet which has been signed in accordance with paragraphs (8) of regulation 30 (tendered signing sheets);

“universal postal service provider” has the meaning given in Part 3 of the Postal Services Act 2011 to a “universal service provider”.

(2) In these Regulations—

- (a) a reference to a petition means a recall petition as prescribed in section 1(2) of the Act (how an MP becomes subject to a recall petition process) and where the context requires is to be construed as including the process relating to that petition;
- (b) unless the context otherwise requires, a reference to the registration officer is—
 - (i) for England and Wales and Scotland a reference to—
 - (aa) the registration officer of the local authority in whose area the constituency of the MP to whom the petition relates is situated, or
 - (bb) if the constituency includes any part of the area of more than one local authority, the registration officer of the local authority in whose area the greatest number of electors is registered,
 - (ii) for Northern Ireland, a reference to the Chief Electoral Officer for Northern Ireland;
- (c) in England and Wales, a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002 (police powers for employees)(7).

PART 2

THE REGISTER

The register

4.—(1) The petition officer must compile a register of persons who by virtue of section 10 of the Act (persons entitled to sign a recall petition) are entitled to sign the petition (“the register”).

(2) The register must contain—

- (a) the names of the persons who appear to the registration officer to be entitled to be registered in it;
- (b) the qualifying address of the person registered in it; and
- (c) in relation to each such person, that person’s electoral number.

(3) A person’s electoral number is such a number (with or without letters) as for the time being allocated by the petition officer to that person as that person’s electoral number for the purposes of the register.

(4) Paragraph (2)(b) does not apply—

- (a) to an address which is specified in an overseas elector’s declaration; or
- (b) to service voter who has given an address in their declaration which is not an address at which that person is or would be residing but for the circumstances entitling that person to make that declaration.

(5) Where the petition officer designates more than one petition signing place, the register is to be framed in separate parts and each part must contain the list of persons who are entitled to sign the petition at that place.

(6) Each part of the register must be identified by a different letter and that letter must also form part of a person’s number in the register for the purposes of signing the petition.

Order of names

5.—(1) Subject to paragraph (2), the names and qualifying addresses on each part of the register are to be arranged in street order.

(2) If the petition officer determines for any part of the register that street order is not reasonably practicable, the names and addresses are to be arranged in alphabetical order or partly in street order and partly in alphabetical order.

(3) The name of any person whose qualifying address is not contained in the register by virtue of regulation 4(4) must be grouped together in alphabetical order—

- (a) at the end of that part of the register to which the address relates;
- (b) beneath the heading “other electors”; and
- (c) without giving that address.

Anonymous entries

6.—(1) A person registered with an anonymous entry in the register of parliamentary electors must be entered in the register only by reference to that person’s electoral number together with the letter “N” and must be entered at the end of the part of the register which relates to the qualifying address of the person entitled to the entry.

(2) Any communication sent by a registration officer or a petition officer for any petition to a person who has an anonymous entry (A) must be sent in an envelope or other form of covering so as not to disclose to any other person that A has an anonymous entry.

(3) An anonymous entry in the register is deemed to remain in force until the end of the signing period despite the fact that that person’s anonymous entry in the register of parliamentary electors may have been terminated in accordance with section 9C (removal of anonymous entry) of the 1983 Act during that period.

Publication of register

7.—(1) On the third day before the beginning of the signing period⁽⁸⁾, the petition officer must publish the register by—

- (a) making a copy available for inspection under supervision at—
 - (i) the office of the petition officer, and
 - (ii) any other place the petition officer considers appropriate to allow for inspection by members of the public, and
- (b) supplying copies of it in accordance with Schedule 1 (supply of register).

(2) Where a copy of the register is made available under paragraph (1)(a) by providing the register on a computer screen or otherwise in data form, the petition officer must ensure that the manner in, and equipment on, which the copy is provided do not permit any person consulting that copy to—

- (a) search it electronically by reference to the name of any person; or
- (b) duplicate or transmit any part of the register by electronic, or any other, means.

(3) The petition officer must update the register available for inspection under paragraph (1) to include any person who becomes entitled to sign the petition by virtue of an alteration in the register of parliamentary electors for the constituency made in accordance with section 13BC(6) of the 1983 Act (alteration of registers: recall petition)⁽⁹⁾.

⁽⁸⁾ Signing period means the period of 6 weeks beginning with the first day which the petition is to be made available for signing; see section 9(2) and 22(1) of the Act.

⁽⁹⁾ Section 13BC was added by paragraph 7 of Schedule 2 to the Act.

Publication of 10% threshold

8.—(1) No later than the third working day after receiving the Speaker’s notice under section 5 of the Act (Speaker’s notice that the first, second or third recall condition has been met), the petition officer must give public notice of—

- (a) the number of persons who are entitled to sign the petition; and
- (b) the number of persons who would need to sign the petition for the petition to be successful in accordance with section 14 of the Act (determination of whether recall petition successful).

(2) On the first day of the signing period, the petition officer must publish the information referred to in paragraph (1)(a) and (b), as it applies on that day.

Supply of register

9. Schedule 1 (supply of register) is to have effect.

PART 3

CONDUCT

CHAPTER 1

General Provisions

The signing sheet

10.—(1) The signature of a person entitled to sign the petition who wishes to do so must be made on a petition signing sheet in accordance with these Regulations (“the signing sheet”).

(2) The signing sheet must be in the form set out in Form A in Schedule 2 (forms), must be printed in accordance with the directions in that Schedule and must—

- (a) contain the name and constituency of the MP to whom the petition relates;
- (b) be capable of being folded up; and
- (c) have a number and other unique identifying mark printed on the back.

(3) Schedule 2 which specifies forms referred to in these Regulations is to have effect.

Corresponding number lists

11.—(1) The petition officer must prepare a list containing the numbers and other unique identifying marks of the signing sheets to be issued under—

- (a) regulation 27 (signing procedure: England and Wales and Scotland);
- (b) regulation 28 (signing procedure: Northern Ireland);
- (c) regulation 85 (postal signing packs);

(2) The list must be in the form set out in Form B in Schedule 2.

The official mark

12.—(1) Every signing sheet must contain an appropriate security marking (“the official mark”).

(2) The official mark must be kept secret, and an interval of not less than seven years must intervene between the use of the same official mark at a petition for the same constituency.

(3) The petition officer may use a different official mark for different purposes at the same petition.

Use of public rooms

13.—(1) The petition officer may use, free of charge, for the purposes of enabling persons to sign the petition—

- (a) a room in a school to which this regulation applies;
- (b) a room the expense of maintaining which is payable out of any rate.

(2) The petition officer must make good any damage done to, and defray any expense incurred by, the persons having control over any such room by reason of it being used for those purposes.

(3) This regulation applies—

- (a) in England and Wales, to a school maintained or assisted by a local authority, or a room in respect of which grants are made out of moneys provided by Parliament to the person or body of persons responsible for the management of the school;
- (b) in Scotland, to a school, other than an independent school within the meaning of the Education (Scotland) Act 1980⁽¹⁰⁾;
- (c) in Northern Ireland, to a school in receipt of a grant out of moneys appropriated by a Measure of the Northern Ireland Assembly.

(4) In Northern Ireland, this regulation does not apply to any school adjacent to any church or other place of worship or to any school connected with a nunnery or other religious establishment.

CHAPTER 2

Action to be Taken Before the Petition

Notice of petition

14.—(1) The petition officer must give public notice of the petition stating—

- (a) the name of the MP who has become subject to the petition process,
- (b) the details relating to the recall condition which has been met in relation to that MP,
- (c) the beginning and end dates of the signing period,
- (d) the situation of each petition signing place,
- (e) the days and hours during which the petition will be available for signing at each petition signing place,
- (f) persons entitled to sign the petition under section 10 of the Act (persons entitled to sign a recall petition),

and must as soon as reasonably practicable after giving such notice give a copy of it to the MP to whom the petition relates.

(2) Different days and hours may be specified under paragraph (1) for different petition signing places.

Availability for signing the petition

15.—(1) The petition officer must ensure that the petition is available for signing at each petition signing place—

⁽¹⁰⁾ 1980 c. 44.

- (a) on each working day throughout the signing period⁽¹¹⁾; and
- (b) between the hours of 9am and 5pm on each of those days.

(2) In addition to the requirements set out in paragraph (1), the petition officer must make reasonable provision for the availability of the petition for signing at other times during the signing period.

Allotment of petition signing places

16. The petition officer must allot a petition signing place to each person entitled to sign the petition in such manner as appears to the petition officer to be most convenient for that person (“the allotted petition signing place”).

Appointment of petition assistants

17.—(1) The petition officer must appoint and pay a petition clerk to attend at each petition signing place and may appoint such persons as assistants to the petition clerk as the officer considers necessary for the purposes of the petition, but must not appoint any person who has been employed by or on behalf of an accredited campaigner in respect of the petition⁽¹²⁾.

(2) The petition officer may preside at a petition signing place and the provisions of these Regulations relating to a petition clerk apply to a petition officer so presiding with the necessary modifications.

(3) An assistant appointed to assist the petition clerk may do anything (including the asking of questions) these Regulations require or permit the petition clerk to do except—

- (a) order the arrest, exclusion or removal of any person from a petition signing place;
- (b) refuse to deliver a signing sheet under paragraph (3) of regulation 28 (signing procedure in Northern Ireland) (including that paragraph as applied by regulation 29 (signing sheets endorsed by petition clerk) and regulation 30 (tendered signing sheets)).

Issue of official petition notice

18.—(1) For the purposes of section 8 of the Act (notice of petition to be sent to registered electors) the petition officer must send to electors and their proxies an official petition notice in accordance with this regulation.

(2) Where an elector has appointed a proxy to sign the petition, the petition officer must send an official petition notice to both the elector and the elector’s proxy.

(3) An official petition notice must not be sent to a person registered, or to be registered, in pursuance of an overseas elector’s declaration.

(4) An elector’s official petition notice must be sent or delivered to the elector’s qualifying address.

(5) A proxy’s official petition notice must be sent or delivered to the address which—

- (a) is shown as the proxy’s address in the list of proxies; or
- (b) in the case of a proxy for an elector with an anonymous entry in a register maintained by the Chief Electoral Officer for Northern Ireland, would be so shown but for regulation 56(4) (absent signing lists: Northern Ireland).

(6) The official petition notice must—

⁽¹¹⁾ See section 22(1) of the Act for the definition of working day.

⁽¹²⁾ Accredited campaigner is defined in Part 5 of Schedule 3 to the Act.

- (a) in respect of electors who may sign the petition in person, be in the form set out in Form C in Schedule 2;
 - (b) in respect of electors who may sign the petition by post, be in the form set out in Form D in Schedule 2;
 - (c) in respect of a proxy who may sign the petition in person, be in the form set out in Form E in Schedule 2; and
 - (d) in respect of a proxy who may sign the petition by post, be in the form set out in Form F in Schedule 2.
- (7) The official petition notice must set out—
- (a) the name of the MP who has become subject to the petition process;
 - (b) the name of the constituency of that MP;
 - (c) the recall petition condition that has been met in relation to that MP;
 - (d) the elector’s name, qualifying address and number on the register;
 - (e) the dates of the beginning and end of the signing period;
 - (f) the situation of the elector’s petition signing place allotted to them under regulation 16 (allotment of petition signing place) and the days and hours during which the petition will be available for signing at that place;
 - (g) such other information as the petition officer considers appropriate.
- (8) Different information may be provided under paragraph (7)(d), (f) and (g) to different electors or descriptions of electors.
- (9) In the case of an elector with an anonymous entry, instead of containing the matters mentioned in paragraph (7)(d) the official petition notice must only include the elector’s number in the register.

Equipment at petition signing place

- 19.**—(1) The petition officer must provide each petition clerk with such ballot boxes and signing sheets as in the petition officer’s opinion are necessary for the conduct of the petition.
- (2) Every ballot box must be so constructed that the signing sheets can be put in it, but cannot be withdrawn from it, without the box being unlocked (if it has a lock), or without breaking the petition clerk’s seal.
- (3) The petition officer must provide each petition signing place with—
- (a) materials to enable persons to sign the signing sheets;
 - (b) copies of the register, or such part of it, which lists the persons entitled to sign the petition at that place;
 - (c) the parts of any special lists prepared for the petition corresponding to the register or the part of it provided under subparagraph (b);
 - (d) that part of the list prepared under regulation 11 (corresponding number lists) which contains the numbers (but not the other unique identifying marks) corresponding to those on the signing sheets provided to the petition clerk of the petition signing place.
- (4) The list referred to in paragraph (3)(d) must be in the form set out in Form G in Schedule 2.
- (5) The petition officer must also provide each petition signing place with—
- (a) at least one large version of the signing sheet which must be displayed inside the petition signing place for the assistance of persons who are partially-sighted; and

(b) a device, as considered appropriate by the petition officer, for enabling persons who are blind or partially-sighted to sign the petition without any need for assistance from the petition clerk or any assistant.

(6) A notice in the form set out in Form H in Schedule 2, giving directions for the guidance of the persons in signing the petition, must be printed in conspicuous characters and exhibited inside every petition signing place.

(7) The reference in paragraph (3)(b) to copies of the register includes a reference to copies of any notice issued under section 13BC(6) of the 1983 Act (alteration of registers: recall petition).

Identification of secure storage

20. For each petition signing place, the petition officer must identify a suitable place where the equipment and materials relating to the conduct of the petition at that signing place are to be held securely during the signing period.

Notification of requirement of secrecy

21. The petition officer must make such arrangements as appear appropriate to the officer to ensure that—

- (a) every person attending at a signing place (otherwise than for the purpose of signing the petition or assisting a blind person to sign the petition or as a constable on duty there) has been given a copy in writing of the provisions of paragraphs (1), (4) and (6) of regulation 123 (requirement of secrecy); and
- (b) every person attending at the counting of the signing sheets in accordance with regulation 39 (other than any constable on duty at the counting) has been given a copy in writing of the provisions of paragraphs (3) and (6) of regulation 123.

CHAPTER 3

The Petition

Admission to petition signing place

22.—(1) The petition clerk must exclude all persons from the petition signing place except—

- (a) the petition officer;
- (b) any person wishing to sign the petition;
- (c) any person under the age of 18 who is accompanying a person to the petition signing place;
- (d) any person representing the Electoral Commission;
- (e) any assistant appointed to attend at the petition signing place;
- (f) a constable on duty.

(2) The petition clerk may regulate the total number of persons admitted to the petition signing place at the same time.

(3) A constable or person employed by a petition officer may be admitted to sign the petition in person otherwise than at that person's allotted petition signing place upon the production and surrender of a certificate as to their employment, which must be in the form set out in Form I in Schedule 2 and signed by an officer of police of the rank of inspector or above, or by the petition officer (as the case may be).

(4) Any certificate surrendered under paragraph (3) must be immediately cancelled.

(5) In the application of this regulation to Northern Ireland, the reference to an officer of police is a reference to a member of the Police Service of Northern Ireland of the rank of chief inspector or above.

Keeping order at a petition signing place

23.—(1) It is the petition clerk’s duty to keep order at the petition signing place with regard to the conduct of the petition.

(2) If a person misconducts themselves in a petition signing place, or fails to obey the petition clerk’s lawful orders, they may immediately, by the petition clerk’s order, be removed from the petition signing place—

(a) by a constable in or near that place, or

(b) by any other person authorised in writing by the petition officer to remove them,

and the person so removed must not, without the petition officer’s permission, again enter the petition signing place at any time when the petition is available for signing there.

(3) Any person so removed may, if charged with the commission in the petition signing place of an offence, be dealt with as a person taken into custody by a constable for an offence without a warrant.

(4) The powers conferred by this regulation must not be exercised so as to prevent a person who is otherwise entitled to sign the petition at the petition signing place from having an opportunity to sign the petition at that place.

Sealing of ballot boxes

24. On each day the petition is available for signing, immediately before the time the petition is to be made available, the petition clerk must show the ballot box empty to such persons, if any, as are present in the petition signing place, so that they may see that it is empty, and must then lock it up (if it has a lock) and place the petition clerk’s seal on it in such a manner as to prevent its being opened without breaking the seal, and must place it in view of the petition clerk for the receipt of signed signing sheets, and keep it so locked (if it has a lock) and sealed.

Questions to be put to persons signing the petition

25.—(1) At the time a person applies for a signing sheet (but not afterwards), the questions specified in the second column of the following table may be put by the petition clerk to a person who is mentioned in the first column (subject to paragraph (3)).

Table

<i>Person applying for signing sheet</i>	<i>Questions</i>
1. A person applying as an elector	<p>(a) “Are you the person registered in the register for this petition as follows (read out the whole entry from the register)?”</p> <p>(b) “Have you already signed the petition, here or elsewhere, otherwise than as a proxy for some other person?”</p> <p>(c) At a petition held in Northern Ireland, “What is your date of birth?”</p>

<i>Person applying for signing sheet</i>	<i>Questions</i>
2. A person applying as a proxy	(a) "Are you the person whose name appears as A.B. in the list of proxies for this petition?" (b) "Have you already signed the petition here or elsewhere, as a proxy on behalf of C.D.?" (c) "Are you the spouse, civil partner, parent, grandparent, brother/sister, child or grandchild of C.D.?"
3. A person applying as a proxy for an elector with an anonymous entry (instead of the questions at entry 2)	(a) "Are you the person entitled to sign as proxy on behalf of the elector whose number in the register is (read out the number from the register)?" (b) "Have you already signed the petition, here or elsewhere, as proxy on behalf of the elector whose number in the register is (read out number from the register)?" (c) "Are you the spouse, civil partner, parent, grandparent, brother/sister, child or grandchild of the person whose number in the register is (read out the number from the register)?"
4. Person applying as proxy if the question at entry 2(c) or 3(c) is not answered in the affirmative	"Have you already signed the petition in this constituency on behalf of two persons of whom you are not the spouse, civil partner, parent, grandparent, brother/sister, child or grandchild?"
5. A person applying as an elector in relation to whom there is an entry in the postal signers list	(a) "Did you apply to sign the petition by post?" (b) "Why have you not signed the petition by post?"
6. A person applying as proxy who is named in the proxy postal signers list	(a) "Did you apply to sign the petition by post as proxy?" (b) "Why have you not signed the petition by post as proxy?"

(2) In the case of an elector in respect of whom a notice has been issued under section 13BC(6) of the 1983 Act (alteration of registers: recall petition), the references in the questions at entries 1(a) and 3(a) to (c) to reading from the register must be taken as references to reading from the notice issued under section 13BC(6) of the 1983 Act.

(3) In the case of an anonymous elector in Northern Ireland, the question at entry 3 does not apply.

(4) A signing sheet must not be delivered to any person required to answer a question in paragraph (1) unless that person has answered that question to the satisfaction of the petition clerk.

(5) Except as authorised by this regulation, no inquiry is to be permitted as to the right of any person to sign the petition.

Challenge of person signing the petition

26. A person who is entitled to sign the petition must not be prevented from doing so unless the person is arrested on the grounds that the person is suspected of committing or of being about to commit an offence of personation.

Signing procedure: England and Wales and Scotland

27.—(1) A signing sheet must be delivered to a person who applies for one, and immediately before delivery—

- (a) the number and (unless paragraph (2) applies) name of the elector as stated in the copy of the register must be called out;
- (b) the number of the elector must be marked on the list mentioned in regulation 19(3)(d) (equipment at petition signing place) beside the number of the signing sheet to be issued to that person;
- (c) a mark must be placed in the copy of the register against the number of the elector to denote that a signing sheet has been received but without showing the particular signing sheet which has been received;
- (d) in the case of a person applying for a signing sheet as proxy, a mark must also be placed against the proxy's name in the list of proxies.

(2) In the case of an elector who has an anonymous entry, that person must show the petition clerk his or her official petition notice and only that person's number must be called out in pursuance of paragraph (1)(a).

(3) In the case of an elector in respect of whom a notice issued has been issued under section 13BC(6) of the 1983 Act, paragraph (1) is modified as follows—

- (a) in subparagraph (a) and (c), for “copy of the register” substitute “copy of the notice issued under section 13BC(6) of the 1983 Act”.

(4) On receiving a signing sheet the person must without undue delay—

- (a) decide whether or not to sign the sheet and, if they decide to do so, sign it;
- (b) fold it up and show to the petition clerk the back of the signing sheet (so as to disclose the number and other unique identifying mark); and
- (c) put the signing sheet so folded up into the ballot box in the petition clerk's presence.

(5) The person must leave the petition signing place immediately after putting the signing sheet into the ballot box.

(6) A person who for the purpose of signing the petition is in a petition signing place, or in a queue outside a petition signing place, at the end of the day on which the petition is available for signing must (despite the fact that the period for which the petition is available for signing that day has ended) be entitled to apply for a signing sheet under paragraph (1), and these Regulations apply in relation to such a person accordingly.

Signing procedure: Northern Ireland

28.—(1) Subject to paragraphs (3) and (5), a signing sheet must be delivered to a person who applies for one and, immediately before delivery—

- (a) the number and name of the elector as stated in the copy of the register must be called out;
- (b) the number of the elector must be marked on the list mentioned in regulation 19(3)(d) (equipment at petition signing place) beside the number of the signing sheet to be issued to that person;

- (c) a mark must be placed in the copy of the register against the number of the elector to denote that a signing sheet has been received but without showing the particular signing sheet which has been received;
 - (d) in the case of a person applying for a signing sheet as proxy, a mark must also be placed against the proxy's name in the list of proxies.
- (2) In the case of an elector in respect of whom a notice has been issued under section 13BC(6) of the 1983 Act, paragraph (1) is modified as follows—
- (a) in subparagraph (a) and (c), for “copy of the register” substitute “copy of the notice issued under section 13BC(6) of the 1983 Act”.
- (3) A signing sheet must not be delivered to an elector unless that person has produced a specified document to the petition clerk or assistant for inspection by them.
- (4) Where a person produces a specified document, the petition clerk or assistant to whom it is produced must deliver a signing sheet to that person unless the clerk or assistant decides that—
- (a) the document; or
 - (b) the apparent age of that person as compared with the age according to the date supplied as the date of the person's birth pursuant to section 10(4A)(b), 10A(1A) or 13A(2A)(b)(13) of the 1983 Act (information provided by the canvass or an application for registration);
- raises a reasonable doubt as to whether the person is the elector or proxy whom that person represents to be.
- (5) Where in such a case it is a petition clerk who so decides, the petition clerk must refuse to deliver a signing sheet to that person.
- (6) Where in such a case it is an assistant who so decides, the assistant must refer the matter and produce the document to the petition clerk, who must proceed as if it had been to the petition clerk that the person had presented and produced the document in the first place.
- (7) For the purposes of this regulation, a specified document is one which for the time being falls within the list specified in rule 37(1E) of the parliamentary election rules as amended from time to time by virtue of rule 37(1F) of those rules (voting procedure).
- (8) On receiving the signing sheet the person must without undue delay—
- (a) decide whether or not to sign the sheet and, if they decide to do so, sign it;
 - (b) fold it up and show to the petition clerk the back of the signing sheet (so as to disclose the number and other unique identifying mark); and
 - (c) put the signing sheet so folded up into the ballot box in the petition clerk's presence.
- (9) The person must leave the petition signing place immediately after putting the signing sheet into the ballot box.
- (10) A person who for the purpose of signing the petition is in a petition signing place, or in a queue outside a petition signing place, at the end of any day on which the petition is available for signing there, must (despite the fact that the period for signing the petition that day has ended) be entitled to apply for a signing sheet under paragraph (1), and these Regulations apply in relation to such a person accordingly.
- (11) This regulation does not apply in relation to an elector who has an anonymous entry in a register maintained by the Chief Electoral Officer for Northern Ireland.

(13) Sections 10(4A), 10A(1A) and 13(2A) were inserted in relation to Northern Ireland by the Electoral Fraud (Northern Ireland) Act 2002 (c. 13), section 1(1), (2), (3)(a) and (4).

Signing sheets endorsed by petition clerk

29.—(1) If a petition clerk is satisfied that a person wishes to sign the petition but is unable to sign the signing sheet on the ground of—

- (a) blindness or other disability, or
- (b) inability to read,

the petition clerk may endorse that person’s signing sheet to indicate that the person was unable to sign the signing sheet as a result of their disability but wishes to sign the petition and for their signing sheet to be included in the final count.

(2) The endorsement of the signing sheet in accordance with paragraph (1) is to be made by the petition clerk either in writing or by an official stamp on the front of the signing sheet in accordance with directions provided by the petition officer.

(3) Paragraphs (3) to (7) of regulation 28 (signing procedure: Northern Ireland) apply in the case of a person who applies under paragraph (1), as they apply in the case of a person who applies under regulation 28(1), but reading references to delivering a signing sheet to a person as references to endorsing a signing sheet.

(4) The name and number in the register of every person who signs the petition in accordance with this regulation must be entered on a list (“list of persons with disabilities assisted by the petition clerk”).

(5) In the case of a person signing as proxy for an elector, the number to be entered on the list referred to in paragraph (4) together with the elector’s name must be the elector’s number.

(6) In the case of a person in respect of whom a notice has been issued under section 13BC(6) of the 1983 Act (alteration of registers: recall petition), paragraph (4) above applies as if for “in the register of every person” there were substituted “relating to every person in respect of whom a notice has been issued under section 13BC(6) of the 1983 Act”.

Tendered signing sheets

30.—(1) The regulation prescribes the circumstances in which a person is entitled to sign a tendered signing sheet under paragraph (8).

(2) Paragraph (8) applies if—

- (a) a person, representing themselves to be—
 - (i) a particular elector named in the register and not named in the postal signers list, or
 - (ii) a particular person named in the list of proxies as proxy for an elector and not entitled to sign the petition by post as proxy,
 applies for a signing sheet after another person has signed the petition in person either as the elector or the elector’s proxy.

(3) Paragraph (8) also applies if—

- (a) a person applies for a signing sheet representing themselves to be a particular elector named in the register;
- (b) that person is also named in the postal signers list; and
- (c) that person claims that they did not make an application to sign the petition by post.

(4) Paragraph (8) also applies if—

- (a) a person applies for a signing sheet representing themselves to be a particular person named as a proxy in the list of proxies;
- (b) that person is also named in the proxy postal signers list, and

- (c) that person claims that they did not make an application to sign the petition by post as proxy.
- (5) Paragraph (8) also applies if—
- (a) before the end of the signing period but after the last time at which a person may apply for a replacement postal signing sheet under regulation 96 or 97 (lost postal signing sheets), a person represents themselves to be—
- (i) a particular elector named in the register and who is also named in the postal signers list, or
- (ii) a particular person named as a proxy in the list of proxies who is also named in the proxy postal signers list,
- and claims that they have lost or not received their postal signing sheet.
- (6) Paragraph (8) also applies if a person to whom a signing sheet is not delivered under paragraph (4) of regulation 25 (questions to be put to persons signing the petition) following an unsatisfactory answer to the question at entry 1(c) in the table in paragraph (1) of that regulation.
- (7) For petitions in Northern Ireland, paragraph (8) applies where a petition clerk refuses to deliver a signing sheet to a person under paragraph (5) of regulation 28 (including that paragraph as applied by regulation 29 (signing sheets endorsed by petition clerk)).
- (8) The person must, on satisfactorily answering the questions permitted by law to be asked at the petition signing place, nevertheless be entitled, to sign a signing sheet (“tendered signing sheet”) in the same manner as any other person signing the petition.
- (9) Paragraphs (3) to (7) of regulation 28 (signing procedure: Northern Ireland) must apply in the case of a person entitled to sign a tendered signing sheet as they apply in the case of a person who applies for a signing sheet under regulation 28(1).
- (10) A tendered signing sheet must—
- (a) be of a colour differing from the other signing sheets;
- (b) instead of being put into the ballot box, be given to the petition clerk and endorsed by that clerk with the name of the person signing the petition and that person’s number in the register and set aside in a separate packet.
- (11) The name of the person and that person’s number in the register must be entered on a list (the “tendered signing list”) and the person must sign the list opposite the entry relating to them.
- (12) In the case of a person signing the petition as proxy for an elector, the number to be endorsed or entered together with the elector’s name must be the elector’s number.
- (13) This regulation applies to an elector who has an anonymous entry as if—
- (a) in paragraph (10)(b) the reference to the name of the person signing the petition is omitted;
- (b) otherwise, a reference to a person named in a register or list were a reference to a person whose number appears in the register or list (as the case may be).
- (14) This regulation applies in the case of a person in respect of whom a notice has been issued under section 13BC(6) of the 1983 Act (alteration of registers: recall petition) as if—
- (a) in paragraphs (2)(a), (3)(a) and (5)(a) for “named in the register” there were substituted “in respect of whom a notice under section 13BC(6) of the 1983 Act has been issued”;
- (b) in paragraph (10)(b) and (11) for “that person’s number in the register” there were substituted “the number relating to that person on a notice issued under section 13BC(6) of the 1983 Act”.
- (15) This regulation does not apply in relation to an elector who has an anonymous entry in a register maintained by the Chief Electoral Officer for Northern Ireland.

Refusal to deliver signing sheet: Northern Ireland

31.—(1) This regulation applies where a petition clerk refuses to deliver a signing sheet under regulation 28(5) (including that paragraph as applied by regulation 29 (signing sheets endorsed by the petition officer) and regulation 30 (tendered signing sheets).

(2) The refusal may be subject to review on a recall petition complaint but, subject to that, will be final and must not be questioned in any proceeding whatsoever.

Spoilt signing sheets

32. A person who has inadvertently dealt with their signing sheet in such manner that it cannot be conveniently used as a signing sheet may, on delivering it to the petition clerk and proving to the clerk’s satisfaction the fact of the inadvertence, obtain another signing sheet in the place of the signing sheet so delivered, and the spoilt signing sheet must be immediately cancelled.

Daily verification and storage

33.—(1) The petition officer must ensure that at the end of each day for which the petition is available for signing—

- (a) the seal of the ballot box is broken and a tally of the number of signing sheets removed from the ballot box is made against the number of sheets that were delivered by the petition clerk that day under regulation 28 (signing procedure: England and Wales and Scotland) or regulation 29 (signing procedure: Northern Ireland); and
- (b) the signing sheet account for that day is completed (“daily signing sheet account”) showing the number of signing sheets issued that day and accounting for them under the heads of—
 - (i) signing sheets issued and accounted for;
 - (ii) signing sheets issued and not accounted for;
 - (iii) spoilt signing sheets; and
 - (iv) tendered signing sheets.

(2) The petition officer may direct the petition clerk to—

- (a) undertake the daily verification procedure prescribed in paragraph (1) (“daily verification procedure”); or
- (b) arrange for the transportation of the ballot box and other materials used for conducting the petition to the petition officer for the daily verification procedure to be undertaken by that officer.

(3) Where the petition clerk is directed to undertake the daily verification procedure under paragraph (2)(a), the directions must contain a provision that requires another person appointed by the petition officer to be present during the opening of the ballot box and the verification of the signing sheets.

(4) If an appointed person referred to in paragraph (3) is not available for the purposes of that paragraph then the petition clerk must ensure that the ballot box, daily signing sheet account and any other materials needed for the purposes of undertaking the daily verification procedure, are transported to the petition officer as directed by that officer for that purpose.

(5) The petition officer must provide directions to the petition clerk about the storage and transportation of materials used for conducting the petition, during the signing period, including in particular—

- (a) unused signing sheets issued by the petition officer for that petition signing place;
- (b) signing sheets issued during the signing period and placed in the ballot box;

- (c) spoilt signing sheets;
- (d) tendered signing sheets;
- (e) the daily signing sheet accounts;
- (f) the corresponding number lists.

(6) Where the petition officer receives any signing sheets and other materials by virtue of paragraph (2)(b) or (4), subject to paragraph (7) that officer must ensure they are kept in a secure place until the end of the signing period.

(7) Where the petition officer receives any signing sheets and other materials by virtue of paragraph (4), that officer must ensure that the completed daily sheet account and materials used for conducting the petition are returned to the petition signing place so that the petition is available for signing on the next working day.

Reporting discrepancies

34. Where the petition clerk identifies any discrepancies between the number of signing sheets removed from the ballot box and the number of signing sheets delivered by the petition clerk for that day the petition clerk must immediately report the discrepancy to the petition officer.

Correction of errors during the signing period

35. The petition clerk must keep a list of persons to whom signing sheets are delivered in consequence of any alteration to the register of parliamentary electors made by virtue of section 13BC(6) of the 1983 Act which takes effect during the signing period (“list of alterations to the register”).

Adjournment of petition in case of riot

36.—(1) Where the proceedings at any petition signing place are interrupted or obstructed by riot or open violence, the petition clerk must adjourn the proceedings until the following working day and must as soon as is reasonably practicable give notice to the petition officer of that fact.

(2) Where the proceedings are adjourned under paragraph (1)—

- (a) the signing period must be extended by the number of working days which were subject to an adjournment during the signing period;
- (b) the hours of signing on the day or days to which it was adjourned must be the same as for the original day or days; and
- (c) references in these Regulations to the end of the signing period must be construed accordingly.

Procedure on close of petition

37.—(1) As soon as reasonably practicable after the end of the signing period, the petition clerk must, in the presence of another person appointed by the petition officer, make up into separate packets, sealed with his own seal the following documents which are located at the petition signing place at the end of the signing period—

- (a) the signing sheets issued during the signing period which were placed in and subsequently retrieved from the ballot box as part of the daily verification procedure;
- (b) unused and spoilt signing sheets placed together;
- (c) the tendered signing sheets;

- (d) the marked copies of the register (including any marked copy notices issued under section 13BC(6) of the 1983 Act); and copies of the list of proxies marked in accordance with these Regulations;
 - (e) the lists prepared under regulation 11 (corresponding number lists), including the parts which were completed in accordance with regulation 27(1)(b) or regulation 28(1)(b) (the “completed corresponding number lists”);
 - (f) the certificates as to employment on duty during the signing period.
- (2) The petition clerk must record the number of signing sheets issued by the petition officer for that petition signing place together with a record of those sheets delivered by the petition clerk under these Regulations for the purpose of signing the petition including any spoilt and tendered signing sheets (“final signing sheet account”).
- (3) The packets referred to in paragraph (1), together with the daily signing sheet accounts and the final signing sheet account must be delivered by the petition clerk, or caused to be delivered to the petition officer; but if the packets are not delivered by the petition clerk personally to the petition officer, the arrangements for their delivery must require the petition officer’s approval.
- (4) The marked copies of the register and of the list of proxies must be in one packet but must not be in the same packet as the completed corresponding number lists or the certificates as to employment on duty during the signing period.
- (5) Where the petition officer has received any signing sheets or other materials by virtue of regulation 33(2)(b) or (4) during the signing period, that officer must as soon as is reasonably practicably after the end of the signing period, for each petition signing place, make up into separate packets, sealed with their own seal, the following documents—
- (a) the signing sheets issued during the signing period which were placed in and subsequently retrieved from the ballot box as part of the daily verification procedure;
 - (b) the spoilt signing sheets;
 - (c) the tendered signing sheets.

CHAPTER 4

Counting Signing Sheets

Attendance at counting of signatures

38.—(1) No person other than—

- (a) the petition officer,
- (b) any assistants of the petition officer, and
- (c) a person who is entitled to attend by virtue of any of sections 6A to 6C of PPERA 2000 (attendance of Electoral Commission and accredited observers at elections etc),

may be present at the counting of the signing sheets, unless permitted by the petition officer to attend.

(2) A person not entitled to attend at the counting of the signing sheets must not be permitted to do so by the petition officer unless the petition officer is satisfied that the efficient counting of the signing sheets will not be impeded.

The count

39.—(1) The petition officer must take reasonable steps to begin counting the signatures given on the signing sheets as soon as practicable at the end of the signing period and, in any event, no later than one day after the end of that period.

(2) The petition officer must in the presence of any person mentioned in regulation 38 (attendance at counting of signatures) who attends the count—

- (a) count and record the number of signing sheets received by virtue of regulation 33(2)(b) or (4) (daily verification) and regulation 37(2) (procedure on close of petition);
- (b) verify the final signing sheet account for each petition signing place;
- (c) count such of the postal signing sheets as have been duly returned and record the number counted.

(3) In relation to a petition in England and Wales or Scotland, a postal signing sheet must not be taken to be duly returned unless—

- (a) it is returned in accordance with regulation 99 (alternative means of returning postal signing sheets, postal petition statements and declarations of identity);
- (b) it is accompanied by the postal petition statement, duly signed, and reaches the petition officer or a petition signing place before the end of the signing period;
- (c) the postal petition statement states the date of birth of the elector or proxy (as the case may be); and
- (d) the petition officer has verified the date of birth and signature of the elector or proxy (as the case may be) in accordance with regulation 107 (procedure in relation to postal petition statements).

(4) A postal signing sheet or postal petition statement that reaches the petition officer or a petition signing place after the end of the signing period is to be treated for the purposes of paragraph (3) as reaching that officer or place before the end of the signing period if it is delivered by a person who, at the end of the signing period, is in the petition signing place, or in a queue outside the petition signing place, for the purpose of returning it.

(5) In relation to a petition in Northern Ireland, a postal signing sheet must not be taken to be duly returned unless—

- (a) it is returned in accordance with regulation 99;
- (b) it is returned in the proper envelope so as to reach the petition officer before the end of the signing period and is accompanied by the declaration of identity duly signed, and
- (c) in the case of an elector, that declaration of identity states the date of birth of the elector and the petition officer is satisfied that the date stated corresponds with the date supplied as the date of the elector's birth pursuant to section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the 1983 Act.

(6) In the case of an elector in Northern Ireland, unless section 10(4B), 10A(1B) or 13A(2B) of the 1983 Act applies, the declaration of identity referred to in paragraph (5) must be taken not to be duly signed unless the petition officer is satisfied that the signature on the declaration corresponds with the signature supplied as the elector's signature pursuant to section 10(4A)(a), 10A(1A)(a) or 13A(2A)(a) of that Act.

(7) The petition officer must not count any tendered signing sheets.

(8) The petition officer, while counting and recording the number of signing sheets and counting the signatures, must keep the signing sheets with their faces upwards and take all proper precautions for preventing any person from seeing the numbers or other unique identifying marks printed on the back of the sheets.

(9) The petition officer must verify the final signing sheet accounts for each petition signing place by comparing them with the number of signing sheets recorded by him or her, and the unused and spoilt signing sheets in his or her possession and the tendered signing list (opening and resealing the packets containing the unused and spoilt signing sheets and the tendered signing list) and must draw up a statement as to the result of the verification (“verification of signing sheet accounts”).

Rejected signing sheets

- 40.**—(1) Any signing sheet which—
- (a) does not bear the official mark, or
 - (b) is unmarked or void for uncertainty,
- must, subject paragraph (2), be taken to be void and not counted.
- (2) A signing sheet on which the signature is marked—
- (a) elsewhere than in the proper place, or
 - (b) otherwise than by means of a signature, or
 - (c) by more than one mark,
- must not for such reason be taken to be void if an intention to sign the petition clearly appears.
- (3) The petition officer must endorse the word “rejected” on any signing sheet which under this regulation is not counted.
- (4) The petition officer must draw up a statement showing the number of signing sheets rejected (“statement of rejected signing sheets”) under either or both heads of—
- (a) want of official mark;
 - (b) unmarked or void for uncertainty.

Decisions on signing sheets

41. The decision of the petition officer on any question arising in respect of any signing sheet may be subject to review on a recall petition complaint but, subject to that, is final and must not be questioned in any proceedings whatsoever.

Public notice of outcome of petition

- 42.** The public notice given by the petition officer under section 14(2)(c) of the Act (determination of whether recall petition successful) must include—
- (a) the name and constituency of the MP to whom the petition related;
 - (b) the details relating to the recall condition which was met in relation to that MP;
 - (c) the beginning and end dates of the signing period for the petition;
 - (d) whether or not in accordance with section 14(3) of the Act (determination of whether recall petition successful) the petition was successful;
 - (e) the number of eligible registered electors;
 - (f) the number and percentage of eligible registered electors who validly signed the petition;
 - (g) the number of rejected signing sheets under each head shown in the statement of rejected signing sheets.

CHAPTER 4

Disposal of Documents

Sealing up of signing sheets

- 43.**—(1) On the completion of the counting of the signing sheets, the petition officer must seal up in separate packets the counted and rejected signing sheets.
- (2) The petition officer must not open the sealed packets of—
- (a) tendered signing sheets;

- (b) the completed corresponding number lists;
- (c) certificates as to employment on duty during the petition period; or
- (d) marked copies of the register (including any marked copy notices issued under section 13BC(6) of the 1983 Act) and lists of proxies.

Delivery of documents to the registration officer: England and Wales and Northern Ireland

44.—(1) The petition officer must forward to the registration officer the following documents—

- (a) the packets of signing sheets,
- (b) the daily signing sheet accounts, the final signing sheet accounts, the statement of rejected signing sheets and the verification of the signing sheets accounts,
- (c) the tendered signing lists, the lists of persons with disabilities assisted by the petition clerk, and the list of alterations to the register,
- (d) the packets of the completed corresponding number lists,
- (e) the packets of certificates as to employment on duty in the signing period,
- (f) the packets containing marked copies of the register (including any marked copy notices issued under section 13BC(6) of the 1983 Act) and of the postal signers list, of lists of proxies and of the proxy postal signers list,
- (g) such other documents relating to the petition as the petition officer considers appropriate,

endorsing on each packet a description of its contents, the dates of the signing period of the petition to which it relates and the name of the constituency in relation to which the petition was held.

(2) Paragraph 1(f) does not apply in relation to a petition for a constituency in Northern Ireland, but the petition officer for such a petition must instead endorse on each packet containing—

- (a) marked copies of the registers,
- (b) the postal signers list,
- (c) the proxy postal signers list, and
- (d) lists of proxies,

a description of its contents, the dates of the signing period of the petition to which it relates and the name of the constituency in relation to which the petition was held.

(3) In this regulation and in regulations 45 and 46, the “registration officer” in Northern Ireland, is the Clerk of the Crown for Northern Ireland.

Orders for production of documents: England and Wales and Northern Ireland

45.—(1) An order may be made by the bodies and in the circumstances described in paragraph (2)

- (a) for the inspection or production of any rejected signing sheets in the custody of the registration officer;
- (b) for the opening of a sealed packet of the completed corresponding number lists or of certificates as to employment on duty during the period of the petition;
- (c) the inspection of any counted signing sheets in the custody of the registration officer.

(2) Those bodies and circumstances are—

- (a) the House of Commons;
- (b) if satisfied by evidence on oath that the order is required for the purpose of instituting or maintaining a prosecution for an offence in relation to a petition, any court;

- (c) any court considering a recall petition complaint.
- (3) An order under this regulation may be made subject to such conditions as the body making the order thinks expedient as to—
 - (a) persons;
 - (b) time;
 - (c) place and mode of inspection;
 - (d) production or opening.
- (4) In making and carrying into effect an order under this regulation the signature of any person must not be disclosed until it has been proved—
 - (a) that their signature was given; and
 - (b) that their signature has been declared by a competent court to be invalid.
- (5) An appeal lies to the High Court from any order of the county court under this regulation.
- (6) Any power given under this regulation—
 - (a) to the High Court or, except in Northern Ireland, to the county court, may be exercised by any judge of the court otherwise than in open court; and
 - (b) in Northern Ireland to a county court, may be exercised in such manner as may be provided by rules of court.
- (7) Where an order is made for the production by the registration officer of any document in their possession relating to any specified petition—
 - (a) the production by the registration officer or their agent of the document ordered in such manner as may be directed by that order is to be conclusive evidence that the document relates to the specified petition; and
 - (b) any endorsement on any packet of signing sheets so produced is to be prima facie evidence that the signing sheets are what they are stated to be by the endorsement.
- (8) The production from proper custody of—
 - (a) a signing sheet purporting to have been used at any petition, and
 - (b) a completed corresponding number list with a number marked in writing beside the number of the signing sheet,is to be prima facie evidence that the elector whose signature was given by that signing sheet was the person whose entry in the register (or on a notice issued under section 13BC(6) of the 1983 Act) at the time of the petition contained the same number as the number written as mentioned in subparagraph (b).
- (9) Save as provided by this regulation, no person is to be allowed to inspect any rejected or counted signing sheet in the possession of the relevant registration officer or to open any sealed packets of the completed corresponding number lists or of certificates.

Retention of documents: England and Wales and Northern Ireland

46. The registration officer must retain for a year all documents relating to a petition forwarded to them in pursuance of these Regulations by a petition officer, and then, unless otherwise directed by order of the House of Commons or any court, must cause them to be destroyed.

Retention and disposal of documents: Scotland

47.—(1) This regulation applies to petitions for a constituency in Scotland.

(2) The petition officer must retain for a year the documents referred to in regulation 44(1) (delivery of documents to the registration officer) and then, unless otherwise directed by order of the House of Commons, the Court of Session or the sheriff must cause them to be destroyed.

(3) Regulation 45 is to apply but in the application of that regulation a reference to—

- (a) “registration officer” is to be read as “petition officer”;
- (b) “High Court” is to be read as “Court of Session”; and
- (c) “county court” or any judge of a county court, is to be read as “the sheriff”.

Access to marked registers

48. Schedule 3 (access to marked registers after a petition) is to have effect.

PART 4

ABSENT SIGNERS

CHAPTER 1

Entitlement to Absent Signing

Interpretation

49. In this Part—

- (a) “Schedule 4” means Schedule 4 to the 2000 Act (absent voting in Great Britain);
- (b) one person is “related” to another if he or she is the spouse or civil partner, parent, grandparent, brother, sister, child or grandchild of the other.

Entitlement to sign by post or proxy

50.—(1) A person is entitled to sign a petition by post if that person—

- (a) is entitled to sign the petition by virtue of section 10 of the Act (entitlement to sign a recall petition); and
- (b) before the cut off day⁽¹⁴⁾, has been granted an application under paragraph 3(1) of Schedule 4 (absent vote at elections for definite or indefinite period) to vote by post at parliamentary elections and is contained in the postal voters list under paragraph 5(2) of that Schedule (absent voters list).

(2) Subject to paragraph (5), a person is entitled to sign a petition by proxy if that person—

- (a) is entitled to sign the petition by virtue of section 10 of the Act; and
- (b) before the cut off day, has been granted an application under paragraph 3(2) of Schedule 4 to vote by proxy at parliamentary elections and is contained in the list of proxies under paragraph 5(3) of that Schedule.

(3) A person is also entitled to sign a petition by post or, as the case may be, by proxy if that person—

- (a) is entitled to sign the petition by virtue of section 10 of the Act; and
- (b) before the cut off day, has been granted an application under section 6(1) of the 1985 Act (absent vote at elections for an indefinite period) to vote by post or to vote by proxy for

⁽¹⁴⁾ The cut off day is defined in section 10(4)(a) of the Act as the third working day before the beginning of the signing period.

an indefinite period and is shown in the record in subsection (3) of that section of those whose applications have been granted under subsection (1) of that section.

(4) Where a person has been granted an application under paragraph 3(1) of Schedule 4 to vote by post for a definite period and that period expires during the signing period of a particular petition, that definite period is deemed to continue until the end of the signing period for the purposes of enabling that person to sign the petition by post, unless that person applies to have their name removed from the postal voters list made under paragraph 5(2) of that Schedule before 5pm on the eleventh day before the last day of the signing period of that petition.

(5) Where a person has been granted an application under paragraph 3(2) of Schedule 4 to vote by proxy for a definite period and that period expires during the signing period for a particular petition, that entitlement to vote by proxy comes to an end on the expiry of that definite period.

Absent signing at any petition for a definite or an indefinite period: England and Wales and Scotland

51.—(1) Where a person applies to the registration officer to sign any petition by post (whether for an indefinite period or for a particular period specified in that person’s application), the registration officer must grant the application if—

- (a) the officer is satisfied that the applicant is or will be entitled to sign a petition by virtue of section 10 of the Act;
- (b) the officer is satisfied that the applicant has not signed the petition at the petition signing place allotted to that person under regulation 16 (allotment of petition signing places); and
- (c) the application contains the applicant’s signature and date of birth and meets the requirements of Chapter 2 of this Part.

(2) Where a person applies to the registration officer to sign any petition by proxy (whether for an indefinite period or for a particular period specified in their application), the registration officer must grant the application if—

- (a) the officer is satisfied that the applicant is eligible to sign the petition by proxy (in accordance with paragraph (3));
- (b) the officer is satisfied that the applicant has not signed the petition at the petition signing place allotted to that person under regulation 16;
- (c) the officer is satisfied that the applicant is or will be entitled to sign the petition by virtue of section 10 of the Act; and
- (d) the application contains the applicant’s signature and date of birth and meets the requirements of Chapter 2 of this Part.

(3) For the purposes of this regulation a person is eligible to sign the petition by proxy if that person—

- (a) is or will be registered in the register of parliamentary electors as a service voter;
- (b) has an anonymous entry in the register of parliamentary electors;
- (c) cannot reasonably be expected—
 - (i) to go in person to the petition signing place allotted or likely to be allotted to that person under regulation 16 (allotment of petition signing place), or
 - (ii) to sign the petition unaided there,
 - by reason of blindness or other disability;
- (d) cannot reasonably be expected to go in person to that petition signing place by reason of the general nature of that person’s occupation, service or employment or that of their spouse

- or civil partner, or by reason of their attendance on a course provided by an educational institution or that of their spouse or civil partner;
- (e) cannot go in person from their qualifying address to that petition signing place without making a journey by air or sea; or
 - (f) is or will be registered in the register of parliamentary electors in pursuance of an overseas electors declaration.
- (4) The registration officer must keep a record of those whose applications under this regulation have been granted showing—
- (a) whether the applications were to sign the petition by post or proxy for an indefinite or a particular period (specifying that period),
 - (b) in the case of those who may sign the petition by post, the addresses provided by them in their applications as the addresses to which their signing sheets are to be sent, and
 - (c) in the case of those who may sign the petition by proxy, the names and addresses of those appointed as their proxies.
- (5) The registration officer must remove a person from the record—
- (a) if that person applies to the registration officer to be removed;
 - (b) in the case of a person who is eligible to sign the petition by proxy by virtue of having an anonymous entry, if that person ceases to have an anonymous entry;
 - (c) in the case of any person in the register of parliamentary electors, if that person ceases to be so registered or registered at the same qualifying address;
 - (d) in the case of any person shown in the record as being eligible to sign the petition by proxy, if the registration officer gives notice that he or she has reason to believe there has been a material change of circumstances;
 - (e) in the case of a person who applied to sign the petition by post for a particular period, once that period has expired or, where paragraph (9) applies, at the end of the signing period; or
 - (f) in the case of a person who applied to sign the petition by proxy for a particular period, once that period has expired.
- (6) A person shown in the record as being entitled to sign the petition by post may subsequently alter their choice by applying to the registration officer to sign the petition by proxy instead (whether for an indefinite period or for a particular period specified in his application); and, if the registration officer would be required to grant that application if it were one made under paragraph (2), the registration officer must amend the record accordingly.
- (7) A person shown in the record as being entitled to sign the petition by proxy may subsequently alter his choice by applying to the registration officer to sign the petition by post instead (whether for an indefinite period or for a particular period specified in his application); and, if the application meets the requirements of Chapter 2 of this Part, the registration officer must amend the record accordingly.
- (8) The registration officer may dispense with the requirement under paragraph (1)(b) or (2)(d) for the applicant to provide a signature if he or she is satisfied that the applicant is unable—
- (a) to provide a signature because of any disability the applicant has,
 - (b) to provide a signature because the applicant is unable to read or write, or
 - (c) to sign in a consistent and distinctive way because of any such disability or inability.
- (9) Where a person has been granted an application under paragraph (1) to sign the petition by post for a definite period and that period expires during the signing period for a particular petition, that definite period is deemed to continue until the end of the signing period for the purposes of enabling

that person to sign the petition by post, unless that person applies to have their name removed from the record kept under paragraph (4).

Absent signing at any petition for an indefinite period: Northern Ireland

52.—(1) Where a person applies to the registration officer to sign any petition by post or by proxy, for an indefinite period, the registration officer must grant the application (subject to paragraph (8)) if—

- (a) the officer is satisfied that the applicant is entitled to sign a petition by virtue of section 10 of the Act;
 - (b) the officer is satisfied that the applicant has not signed the petition at the petition signing place allotted to that person under regulation 16;
 - (c) the application states the applicant's date of birth and the registration officer is satisfied that the date stated corresponds with the date supplied as the date of the applicant's birth pursuant to section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the 1983 Act;
 - (d) the application is signed and (unless section 10(4B), 10A(1B) or 13A(2B) of the 1983 Act applies) the registration officer is satisfied that the signature on the application corresponds with the signature supplied as the applicant's signature pursuant to section 10(4A)(a), 10A(1A)(a) or 13A(2A)(a) of the 1983 Act;
 - (e) the application either states the applicant's national insurance number or states that the applicant does not have one, and the registration officer is satisfied as mentioned in paragraph (2) below;
 - (f) the application meets the requirements of Chapter 2 of this Part; and
 - (g) in the case of an application to sign the petition by proxy, the officer is satisfied that the applicant is eligible (in accordance with paragraph (4)) to sign the petition by proxy for an indefinite period.
- (2) For the purposes of paragraph (1)(e), the registration officer must be satisfied—
- (a) if the application states a national insurance number, that the requirements of paragraph (3) below are met; or
 - (b) if the application states that the applicant does not have a national insurance number, that no such number was supplied as the applicant's national insurance number pursuant to section 10(4A)(c)(i), 10A(1A)(c)(i) or 13A(2A)(c)(i) of the 1983 Act.
- (3) The requirements of this paragraph are met if—
- (a) the number stated as mentioned in paragraph (2)(a) is the same as the one supplied as the applicant's national insurance number pursuant to section 10(4A)(c)(i), 10A(1A)(c)(i) or 13A(2A)(c)(i) of the 1983 Act; or
 - (b) no national insurance number was supplied under any of those provisions, but the registration officer is not aware of any reason to doubt the authenticity of the application.
- (4) For the purposes of this regulation, a person is eligible to sign a petition by proxy for an indefinite period if that person—
- (a) is or will be registered as a service voter;
 - (b) has an anonymous entry in the register of electors for a parliamentary election;
 - (c) cannot reasonably be expected—
 - (i) to go in person to the signing place allotted or likely to be allotted to them under regulation 16 (allotment of petition signing places), or
 - (ii) to sign the petition unaided there,

- by reason of blindness or other disability;
- (d) cannot reasonably be expected to go in person to that petition signing place by reason of the general nature of their occupation, service or employment or that of their spouse or civil partner or by reason of their attendance on a course provided by an educational institution or that of their spouse or civil partner;
 - (e) cannot go in person from their qualifying address to that petition signing place without making a journey by air or sea; or
 - (f) is or will be registered in the register of parliamentary electors in pursuance of an overseas electors declaration.
- (5) The registration officer must keep a record of those whose applications under this regulation have been granted showing—
- (a) in the case of those who may sign a petition by post, the addresses provided by them in their applications as the addresses to which their signing sheets are to be sent, and
 - (b) in the case of those who may sign a petition by proxy, the names and addresses of those appointed as their proxies.
- (6) The registration officer must remove a person from the record kept under paragraph (5)—
- (a) if that person applies to the registration officer to be removed;
 - (b) in the case of a person who is eligible to sign the petition by proxy by virtue of having an anonymous entry, if that person ceases to have an anonymous entry;
 - (c) in the case of any person registered in the register of parliamentary electors, if that person ceases to be registered or registered at the same qualifying address; or
 - (d) if the registration officer gives notice that he or she has reason to believe there has been a material change of circumstances.
- (7) A person shown in the record kept under paragraph (5) as being eligible to sign a petition by post or by proxy (as the case may be) may subsequently alter their choice (subject to paragraph (8)) on an application to the registration officer that meets the requirements of Chapter 2 of this Part and the registration officer must amend the record accordingly.
- (8) A person applying to sign a petition by post must provide an address in the United Kingdom as the address to which that person's signing sheet is to be sent.

Absent signing at a particular petition: England and Wales and Scotland

- 53.**—(1) Where a person applies to the registration officer to sign a particular petition by post, the officer must grant the application if—
- (a) the officer is satisfied that the applicant is or will be entitled to sign the petition in accordance with section 10 of the Act (entitlement to sign a recall petition);
 - (b) the officer is satisfied that the applicant has not signed the petition at the petition signing place allotted to them under regulation 16; and
 - (c) the application contains the applicant's signature and date of birth and meets the requirements of Chapter 2 of this Part.
- (2) Where a person applies to the registration officer to sign a particular petition by proxy, the officer must grant the application if—
- (a) the officer is satisfied that the applicant's circumstances during the signing period will be, or are likely to be, such that the applicant cannot reasonably be expected to sign in person at the petition signing place allotted or likely to be, allotted to that person under regulation 16 (allotment of petition signing places);

- (b) the officer is satisfied that the applicant is or will be entitled to sign the petition in accordance with section 10 of the Act;
 - (c) the officer is satisfied that the applicant has not signed the petition at the petition signing place allotted to them under regulation 16; and
 - (d) the application contains the applicant's signature and date of birth and meets the requirements of Chapter 2 of this Part.
- (3) Where a person who has an anonymous entry in the register, applies to the registration officer to sign a particular petition by proxy, the registration officer must grant the application if—
- (a) the officer is satisfied that the applicant has not signed the petition at the petition signing place allotted to them under regulation 16; and
 - (b) it meets the requirements of Chapter 2 of this Part.
- (4) Nothing in paragraphs (1) to (3) applies to a person who is included in the record kept under regulation 51(4) (absent signing at any petition for a definite or indefinite period: England and Wales and Scotland) or in the record kept under paragraph 3(4) or 7(6) of Schedule 4, but if such a person is shown in any of those records as being entitled to sign the petition by post, or voting by post (as the case may be) the person may, in respect of a particular petition, apply to the registration officer—
- (a) for that person's signing sheet to be sent to a different address from that shown in the record, or
 - (b) to sign the petition by proxy.
- (5) The registration officer must grant an application under paragraph (4) if—
- (a) in the case of an application it meets the requirements of Chapter 2 of this Part, and
 - (b) in the case of an application to sign the petition by proxy, the officer is satisfied that the applicant's circumstances during the signing period will or are likely to be such that the applicant cannot reasonably be expected to sign the petition in person at the petition signing place allotted or likely to be allotted to that person in accordance with regulation 16 (allotment of petition signing places).
- (6) The registration officer may dispense with the requirement under paragraph (1)(c) or (2)(d) for the applicant to provide a signature if the officer is satisfied that the applicant is unable—
- (a) to provide a signature because of any disability the applicant has;
 - (b) to provide a signature because the applicant is unable to read or write; or
 - (c) to sign in a consistent and distinctive way because of any such disability or inability.

Absent signing at a particular petition: Northern Ireland

54.—(1) Where a person applies to the registration officer to sign a particular petition by post, or to sign that petition by proxy, the registration officer must grant the application (subject to paragraph (4)) if—

- (a) in the case of a proxy application, the officer is satisfied that the applicant's circumstances during the signing period will be or are likely to be such that the person cannot reasonably be expected to sign the petition in person at the petition signing place allotted or likely to be allotted to that person under regulation 16 (allotment of petition signing place);
- (b) the officer is satisfied that the applicant is or will be entitled to sign the petition in accordance with section 10 of the Act;
- (c) the application states the applicant's date of birth and the registration officer is satisfied that the date stated corresponds with the date supplied as the date of the applicant's birth pursuant to section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the 1983 Act;

- (d) the application is signed and (unless section 10(4B), 10A(1B) or 13A(2B) of the 1983 Act applies) the registration officer is satisfied that the signature on the application corresponds with the signature supplied as the applicant's signature pursuant to section 10(4A)(a), 10A(1A)(a) or 13A(2A)(a) of the 1983 Act;
 - (e) the application either states the applicant's national insurance number or states that he or she does not have one, and the registration officer is satisfied as mentioned in paragraph (2);
 - (f) the officer is satisfied that the applicant has not signed the petition at the petition signing place allotted to that person under regulation 16; and
 - (g) the application meets the requirements of Chapter 2 of this Part.
- (2) For the purposes of paragraph (1)(e), the registration officer must be satisfied—
- (a) if the application states a national insurance number, that the requirements of paragraph (3) are met; or
 - (b) if the application states that the applicant does not have a national insurance number, that no such number was supplied as that person's national insurance number pursuant to section 10(4A)(c)(i), 10A(1A)(c)(i) or 13A(2A)(c)(i) of the 1983 Act.
- (3) The requirements of this paragraph are met if—
- (a) the number stated as mentioned in paragraph (2)(a) is the same as the one supplied as the applicant's national insurance number pursuant to section 10(4A)(c)(i), 10A(1A)(c)(i) or 13A(2A)(c)(i) of the 1983 Act; or
 - (b) no national insurance number was supplied under any of those provisions, but the registration officer is not aware of any reason to doubt the authenticity of the application.
- (4) Paragraph (1) does not apply to a person who is included in the record kept under regulation 52(5) (absent signing at any petition for indefinite period: Northern Ireland) or kept in the record kept under section 6(3) of the 1985 Act (absent vote at elections for indefinite period), but such a person may, in respect of a particular petition, apply to the registration officer—
- (a) for that person's signing sheet to be sent to a different address in the United Kingdom, or
 - (b) to sign the petition by proxy,
- if that person is shown in the record so kept as signing the petition by post or proxy, or voting by post of proxy (as the case maybe).
- (5) The registration officer must grant an application under paragraph (4) if it meets the requirements of Chapter 2 of this Part.

Absent signers lists: England and Wales and Scotland

55.—(1) The registration officer must, in respect of each petition, keep the two list mentioned in paragraphs (2) and (3).

- (2) The first of those lists ("the postal signers list") is a list of—
- (a) those persons who are for the time being shown in the postal voters list under paragraph 5(2) of Schedule 4, together with the addresses as shown in that list as the addresses to which their postal ballot sheets are to be sent;
 - (b) those persons who are for the time being shown in the record kept under regulation 51(4) as signing the petition by post (excluding those so shown whose applications under regulation 53(4) to sign the petition by proxy have been granted), together with the addresses provided by them in their applications under regulation 51 or regulation 53(4)
 - (a) (as the case may be) as the addresses to which their signing sheets are to be sent;

- (c) those persons whose applications have been granted under regulation 53(1) to sign a particular petition by post, together with the addresses provided by them in their application under that regulation.
- (3) The second of those lists (“the list of proxies”) is a list of—
- (a) those persons who are for the time being shown in the list of proxies under paragraph 5(3) of Schedule 4,
 - (b) those persons who are for the time being shown in the record kept under regulation 51(4) as being eligible to sign the petition by proxy,
 - (c) those persons whose applications have been granted under regulation 53(2) or (5) to sign that petition by proxy,
- together with (in each case) the names and the addresses of those appointed as their proxies.
- (4) In the case of a person who has an anonymous entry in the register, the postal signers list or list of proxies (as the case may be) must contain only—
- (a) the person’s electoral number, and
 - (b) the period for which the anonymous entry has effect.
- (5) The registration officer must, immediately on completion of list referred to in paragraphs (2) and (3), supply to the petition officer so much of those lists as relate to the constituency to which the petition relates.

Absent signers list: Northern Ireland

56.—(1) The registration officer must, in respect of each petition, keep a special the two lists mentioned in paragraphs (2) and (3).

- (2) The first of those lists (“the postal signers list”) is a list of—
- (a) those persons who are for the time being shown in the record kept under regulation 52(5) as being entitled to sign the petition by post (excluding those so shown whose applications under regulation 54(4) to sign the petition by proxy has been granted) together with the addresses provided by them in their application under regulation 52, or regulation 54(4) (a) (as the case may be) as the address to which their signing sheet is to be sent;
 - (b) those persons whose applications under regulation 54(1) to sign the petition by post have been granted, together with the addresses provided by them in their applications as the addresses to which their signing sheets are to be sent; and
 - (c) those persons who are for the time being shown in the record kept under section 6(3) of the 1985 Act as voting by post at parliamentary elections (excluding those so shown whose applications under regulation 54(4) to sign the petition by proxy at the election have been granted), together with the addresses provided by them in their applications under that section or regulation 54(4)(a) (as the case may be) as the addresses to which their signing sheet sheets are to be sent.
- (3) The second of those lists (“the list of proxies”) is a list of—
- (a) those persons whose applications under regulation 52 (absent signing at any petition for an indefinite period) to sign the petition by proxy have been granted;
 - (b) those persons whose applications under regulation 54 (absent signing at a particular petition) to sign the petition by proxy have been granted;
 - (c) those persons who are for the time being shown in the record kept under section 6(3) of the 1985 Act (absent vote at elections for an indefinite period) as voting by proxy at parliamentary elections, together with the names and addresses of those appointed as their proxies.

(4) In the case of a person who has an anonymous entry in the register of electors, the postal signers list or list of proxies (as the case may be) must contain only—

- (a) the person's electoral number, and
- (b) the period for which the anonymous entry has effect.

Proxies at petitions

57.—(1) Subject to the following provisions of this regulation, any person is capable of being appointed proxy to sign a petition for another (the person appointing the proxy is referred to in this regulation and regulation 58 as “the appointer”).

(2) The appointer cannot have more than one person at a time appointed as proxy to sign a petition for him or her.

(3) A person is not capable of being appointed to sign a petition as proxy if the person—

- (a) is subject to any legal incapacity (age apart) to sign a petition as an elector, and
- (b) is neither a Commonwealth citizen or a citizen of the Republic of Ireland.

(4) A person is not capable of signing a petition unless before the end of the signing period for that petition the person has attained the age of 18; but such a person may sign the petition during the signing period notwithstanding that they may have not attained the age of 18 on the day they sign the petition.

(5) A person is not entitled to sign any one petition as proxy on behalf of more than two persons to whom that person is not related.

(6) Where the appointer applies to the registration officer for the appointment of a proxy to sign the petition for him or her (whether for an indefinite period or for a particular period specified in his application), the registration officer must make the appointment if the application meets the requirements of Chapter 2 of this Part and the registration officer is satisfied that the appointer—

- (a) is or will be entitled to sign the petition by virtue of section 10 of the Act;
- (b) is or will be shown in the record kept under regulation 51(4) above as being eligible to sign the petition by proxy or (as the case may be) in the record kept under paragraph 5(3) of Schedule 4 as entitled to vote by proxy and the proxy is capable of being, and willing to be, appointed to sign the petition as proxy; and
- (c) has not signed the petition at the petition signing place allotted to them under regulation 16.

(7) Where the appointer applies to the registration officer for the appointment of a proxy to sign the petition for him or her at a particular petition the registration officer must make the appointment if the application meets the requirements set out in Chapter 2 of this Part and the registration officer is satisfied that the appointer—

- (a) is or will be entitled to sign the petition by virtue of section 10 of the Act;
- (b) is or will be eligible to sign the petition by proxy by virtue of an application under regulation 53(2) and (3) and that the proxy is capable of being, and willing to be, appointed to sign the petition as proxy; and
- (c) has not signed the petition at the petition signing place allotted to the applicant under regulation 16 (allotment of petition signing place).

(8) The appointment of a proxy under this regulation must be made by means of a proxy paper issued by the registration officer in the form set out in Form J in Schedule 2.

(9) The appointment may be cancelled by the appointer by giving notice to the registration officer.

(10) The appointment also ceases to be in force—

- (a) on the issue of a proxy paper appointing a different person to sign the petition for the appointer;
 - (b) where the appointment was for a definite period, once that period expires, unless the proxy is entitled to sign the petition by post in which case that period is deemed to continue until the end of the signing period for the purposes of signing the petition.
- (11) Subject to paragraphs (9) and (10), the appointment remains in force—
- (a) in the case of an appointment for a particular petition, for that petition;
 - (b) in any other case, while the appointer is shown in the record kept under regulation 51(4) as being entitled to sign the petition by proxy or (as the case may be) in the record kept under paragraph 3(4) of Schedule 4 to the 2000 Act as entitled to vote by proxy.
- (12) In respect of petitions in Northern Ireland, the application of this regulation is modified as follows—
- (a) for references to “regulation 51(4)” substitute “regulation 52(5)”;
 - (b) for references to “regulation 53(2)” substitute “regulation 54(1)”;
 - (c) for references to “paragraph 3(4) of Schedule 4 to the 2000 Act” substitute “section 6(3) of the 1985 Act”; and

Signing the petition as a proxy

58.—(1) A person entitled to sign the petition as proxy for another may do so in person at the petition signing place allotted to the appointer under regulation 16 (allotment of petition signing place) unless the person is entitled to sign the petition by post as proxy for the appointer, in which case the person may sign the petition by post.

(2) But in the case of a person entitled to sign the petition as proxy for an appointer included in the register of electors in Northern Ireland who has an anonymous entry—

- (a) paragraph (1) does not apply, and
- (b) the person may only sign the petition by post (where entitled as a proxy to sign the petition by post).

(3) Where a person is entitled to sign the petition by post as proxy for the appointer, that appointer may not apply for a signing sheet for the purpose of signing the petition in person.

(4) For the purposes of this Part, a person entitled to sign the petition as proxy is entitled to sign the petition by post if that person is included—

- (a) in the proxy postal signers list;
- (b) in the record (record of proxy postal voting) kept under paragraph 7(6) of Schedule 4; or
- (c) in the record (record of proxy postal voting) kept under section 9(6) of the 1985 Act.

(5) Where a person applies to the registration officer to sign the petition by post as proxy, the registration officer must grant the application if the conditions set out in paragraph (6) are satisfied.

(6) Those conditions are—

- (a) that the registration officer is satisfied that the appointer is or will be entitled to sign the petition by virtue of section 10 of the Act;
- (b) that there is in force an appointment of the applicant as the appointer’s proxy to sign the petition on behalf of the appointer;
- (c) the officer is satisfied that the proxy has not signed the petition at the petition signing place allotted to the appointer under regulation 16; and
- (d) that the application contains the applicant’s signature and date of birth and meets the requirements of Chapter 2 of this Part.

(7) The registration officer must keep a record of those whose applications under paragraph (5) have been granted showing—

- (a) whether their applications were to sign the petition by post as proxy for an indefinite or particular period (specifying that period); and
- (b) the addresses provided by them in their applications as the addresses to which their signing sheets are to be sent.

(8) Where, in the case of a particular petition, a person included in the record kept under paragraph (7) applies to the registration officer for their signing sheet to be sent to a different address to the one shown in the record, the registration officer must grant the application if it meets the requirements of Chapter 2 of this Part.

(9) The registration officer must, in respect of each petition, keep a special list (“the proxy postal signers list”) of those who are for the time being included in the record kept under paragraph (7), together with the addresses provided by them in their application under paragraph (5) or paragraph (8) (as the case may be) as the addresses to which their signing sheets are to be sent.

(10) In the case of a person who has an anonymous entry in the register, the proxy postal signers list must contain only—

- (a) the person’s electoral number; and
- (b) the period for which the anonymous entry has effect.

(11) The registration officer must remove a person from the record kept under paragraph (7)—

- (a) if that person applies to the registration officer to be removed;
- (b) if the appointer ceases to be entitled to sign the petition as mentioned in paragraph (6)(a);
- (c) if the appointment of the person concerned as the appointer’s proxy ceases to be in force (whether or not that person is re-appointed); or
- (d) in the case of a person who applied to sign the petition by post as proxy for a particular period, once that period has expired, unless paragraph (16) applies.

(12) The registration officer must on the completion of the proxy postal signers list, supply to the petition officer so much of that list as relates to the constituency to which the petition relates.

(13) Paragraph (3) does not prevent a person, at the petition signing place to which the person is allotted, signing a tendered signing sheet in the circumstances prescribed in regulation 30 (tendered signing sheets) if the person would otherwise be able to do so.

(14) The registration officer may dispense with the requirement under paragraph (6)(c) for the applicant to provide a signature if the officer is satisfied that the applicant is unable—

- (a) to provide a signature because of any disability the applicant has;
- (b) to provide a signature because the applicant is unable to read or write; or
- (c) to sign in a consistent and distinctive way because of any such disability or inability.

(15) For petitions held in Northern Ireland, the following modifications are made to this regulation—

- (a) in paragraph (6), a person applying to sign the petition by post as proxy must provide an address in the United Kingdom as an address to which their signing sheet is to be sent;
- (b) paragraphs (7)(a), (12) and (14) do not apply.

(16) For the purposes of paragraph 11(d), and without prejudice to paragraphs 11(a) to (c), where a person has been granted an application under paragraph (5) to sign the petition by post as proxy for a definite period, and that period expires during the signing period for a particular petition, that definite period is deemed to continue until the end of the signing period for the purposes of enabling the proxy to sign the petition by post.

The personal identifiers record: England and Wales and Scotland

59.—(1) The registration officer must maintain a record (“the personal identifiers record”), apart from the other records and lists which the officer is required to keep under this Part, of the signatures and dates of birth provided by persons whose applications under regulation 51 (absent signing at any petition for a definite or an indefinite period), regulation 53 (absent signing at a particular petition) or regulation 58 (signing the petition as a proxy) were granted, until the expiry of twelve months from—

- (a) the date on which a person is removed from the record kept pursuant to regulations 51(4) or 58(7); or
- (b) the date of the last day of the signing period of the petition for which the person’s application for absent signing of the petition was granted under regulation 53(1) or (2).

(2) The personal identifiers record must contain the following information in respect of each person on the postal signers list, the list of proxies or proxy postal signers list—

- (a) their name;
- (b) their date of birth; and
- (c) their signature, or a record of the waiver by the registration officer of the requirement for a signature.

(3) The registration officer may disclose information held in the personal identifiers records to—

- (a) any person attending proceedings on receipt of postal signing sheets, who is entitled to do so by virtue of any of sections 6A to 6D of PPERA 2000 (attendance of the Electoral Commission etc), but only to the extent required to permit them to observe proceedings;
- (b) any other registration officer if the officer thinks that to do so will assist the other registration officer in the performance of his or her duties;
- (c) any person exercising functions in relation to the preparation or conduct of legal proceedings in relation to a petition.

CHAPTER 2

Applications for Absent Signing

General requirements for applications for absent signing

60.—(1) An application under Chapter 1 of this Part must state—

- (a) the full name of the applicant;
- (b) except in a case within subparagraph (c), the address in respect of which the applicant is registered or has applied to be (or is treated as having applied to be) registered in the registers of electors;
- (c) in the case of an application under regulation 58(5) (signing the petition by post as a proxy), the proxy’s address, together with the name of the elector for whom the applicant will act as proxy and the elector’s address for the purposes of subparagraph (b);
- (d) in the case of a person applying to sign the petition by post, the address to which the signing sheet should be sent;
- (e) in the case of an application to sign the petition by proxy, the grounds on which the applicant claims to be eligible to sign the petition by proxy;
- (f) in the case of a person who is unable to provide a signature (or a consistent or distinctive signature), the reasons for requesting the waiver of any requirement under regulation 51, regulation 53 or regulation 58 to provide a signature and the name and address of any person who has assisted in the completion of the application; and
- (g) where the applicant has, or has applied for, an anonymous entry, that fact.

- (2) The application must be made in writing and must be dated.
- (3) Where an application is required to contain a signature and date of birth, the information must be set out in a manner that is sufficiently clear and unambiguous as to be capable of electronic scanning into the record by configuring the information as follows—
 - (a) the signature must appear against a background of white unlined paper of at least five centimetres long and two centimetres high, and
 - (b) the applicant's date of birth must be set out numerically configured in the sequence of date, month and year, namely [d][d][m][m][y][y][y][y].
- (4) Paragraph (3)(a) does not apply where the application contains a request that the registration officer waive the requirement for a signature.
- (5) An application under regulation 53 (absent signing at a particular petition: England and Wales and Scotland) or regulation 54 (absent signing at a particular petition: Northern Ireland) must—
 - (a) state that it is made for a particular petition, and
 - (b) identify the petition in question.
- (6) An application to sign the petition by proxy must also include an application for the appointment of a proxy which meets the requirements of regulation 57 (proxies at petitions).
- (7) For petitions in Northern Ireland, the following modifications are made to this regulation—
 - (a) an application under paragraph (1) must also contain—
 - (i) the signature of the applicant; and
 - (ii) an address in the United Kingdom to which the applicant's signing sheet is to be sent, and
 - (b) paragraphs (1)(f) and (3) do not apply.

Additional requirements for applications for signing sheets to be sent to different address from that stated in application

- 61.**—(1) Subject to paragraph (3) this regulation applies where—
- (a) in the case of an application to sign the petition by post under regulation 51(1), 52(1), 53(1) or 54(1), the addresses stated in accordance with regulation 60(1)(b) and (d) are different;
 - (b) in the case of an application by a proxy to sign by post under regulation 58(5), the proxy's addresses stated in accordance with regulation 60(1)(c) and (d) are different.
- (2) The application must set out why the applicant's circumstances will be or are likely to be such that the applicant requires the postal signing sheet to be sent to the address stated in accordance with regulation 60(1)(d).
- (3) This regulation does not apply where an applicant has, or has applied for, an anonymous entry.

Additional requirements for applications for signing sheets to be sent to different addresses from that shown in the record kept by the registration officer

- 62.**—(1) Subject to paragraph (3), this regulation applies in respect of applications under—
- (a) regulation 53(4)(a) by a person shown as signing the petition by post in the record kept under regulation 51(4), or shown as voting by post in the record kept under paragraph 3(4) or 7(6) of Schedule 4;
 - (b) regulation 54(4)(a) by a person shown as signing the petition by post in the record kept under regulation 52(5), or shown as voting by post in the record kept under section 6(3) of the 1985 Act;

- (c) regulation 58(8) by a person shown as signing the petition by post in the record kept under regulation 58(7).
- (2) For the applicant's postal signing sheet to be sent to a different address from that shown in the records the application must set out why the applicant's circumstances will be, or are likely to be, such that the applicant requires the postal signing sheet to be sent to that address.
- (3) This regulation does not apply where an applicant has, or has applied for, an anonymous entry.

Additional requirements for applications for the appointment of a proxy

63.—(1) An application for the appointment of a proxy under regulations 51, 52, 53 or 54 must state the full name and address of the person the applicant wishes to appoint as proxy, together with that person's family relationship, if any, with the applicant, and—

- (a) if it is signed only by the applicant, must contain a statement by the applicant that the person so named has been consulted and that that person is capable of being and willing to be appointed to sign the petition as proxy; or
- (b) if it is also signed by the person to be appointed, must contain a statement by that person that the person is capable of being and willing to be appointed to sign the petition as the applicant's proxy.

(2) Where the application mentioned in paragraph (1) is made by an elector with an anonymous entry in the register of electors maintained by the Chief Electoral Officer for Northern Ireland, the application must also be accompanied by an application, by the person to be appointed as proxy, under regulation 58(5) (application to sign the petition by post as proxy).

Additional requirements for applications for a proxy signature for a definite or an indefinite period on grounds of blindness or other disability: England and Wales and Scotland

64.—(1) An application to sign the petition by proxy for a particular or indefinite period under regulation 51(2) in pursuance of the grounds under paragraph (3)(c) of that regulation must specify the disability by reason of which it is made.

- (2) Subject to paragraph (3), such an application must be attested and signed by—
 - (a) a registered medical practitioner⁽¹⁵⁾;
 - (b) a registered nurse⁽¹⁶⁾;
 - (c) a registered dentist as defined by section 53(1) of the Dentists Act 1984⁽¹⁷⁾;
 - (d) a registered dispensing optician or a registered optometrist within the meaning of the Opticians Act 1989⁽¹⁸⁾;
 - (e) a registered pharmacist within the meaning of article 3(1) of the Pharmacy Order 2010⁽¹⁹⁾;
 - (f) a registered osteopath as defined by section 41 of the Osteopaths Act 1993⁽²⁰⁾;
 - (g) a registered chiropractor as defined by section 43 of the Chiropractors Act 1994⁽²¹⁾;
 - (h) a Christian Science practitioner;

⁽¹⁵⁾ A registered medical practitioner means a fully registered person within the meaning of the Medical Act 1983 (c. 54) who holds a licence to practise under that Act; see Schedule 1 to the Interpretation Act 1978 (c. 30).

⁽¹⁶⁾ A registered nurse means a nurse registered in the register maintained under article 5 of the Nursing and Midwifery Order 2001 (S.I. 2002/253) by virtue of qualifications in nursing; see Schedule 1 to the Interpretation Act 1978.

⁽¹⁷⁾ 1984 c. 24.

⁽¹⁸⁾ 1989 c. 44.

⁽¹⁹⁾ S.I. 2010/231.

⁽²⁰⁾ 1993 c. 21.

⁽²¹⁾ 1994 c. 17.

- (i) a person registered as a member of a profession to which the Health and Social Work Professions Order 2001(22) extends;
 - (j) the person registered—
 - (i) in England and Wales, as carrying on a care home registered under Part 2 of the Care Standards Act 2000(23), or
 - (ii) in Scotland, as managing a care home service registered under Part 5 of the Public Services Reform (Scotland) Act 2010(24),where the applicant is resident in such a home;
 - (k) the warden of premises forming one of a group of premises provided for persons of pensionable age or disabled persons for which there is a resident warden, where the applicant states that he or she resides in such premises;
 - (l) a manager—
 - (i) in England and Wales, within the meaning of section 145(1) of the Mental Health Act 1983(25), or
 - (ii) in Scotland, within the meaning of section 329 of the Mental Health (Care and Treatment) (Scotland) Act 2003(26) responsible for the administration of a hospital within the meaning of that section,or a person authorised to act on behalf of such a manager for these purposes;
 - (m) a person registered in the register of social workers maintained—
 - (i) in England, in accordance with the Health and Social Work Professions Order 2001(27);
 - (ii) in Wales, in accordance with section 56 of the Care Standards Act 2000, or
 - (iii) in Scotland, in accordance with section 44 of the Regulation of Care (Scotland) Act 2001(28).
- (3) A person who qualifies—
- (a) by virtue of any of paragraphs (2)(a) to (i) may not attest an application for these purposes unless—
 - (i) the person is treating the applicant for the disability specified in the application;
 - (ii) the applicant is receiving care from that person in respect of that disability; or
 - (b) by virtue of paragraph (2)(m) may not attest an application for these purposes unless—
 - (i) the person is treating the applicant for the disability specified in the application;
 - (ii) the applicant is receiving care from the person in respect of that disability; or
 - (iii) the person has arranged care or assistance for the applicant in respect of that disability.
- (4) The person attesting the application must state—
- (a) their name and address and the qualification by virtue of which they attest the application;
 - (b) where the person (A) who attests the application is a person referred to in paragraph (3) (a), that—

(22) S.I. 2002/254.

(23) 2000 c. 14.

(24) 2010 asp. 8.

(25) 1983 c. 20.

(26) 2003 asp. 13.

(27) S.I. 2001/254.

(28) 2001 asp. 8.2.

- (i) A is treating the applicant for the disability specified in the application; or
 - (ii) the applicant is receiving care from A in respect of that disability;
 - (c) where the person (B) who attests the application is a person referred to in paragraph (3)(b), that—
 - (i) B is treating the applicant for the disability specified in the application;
 - (ii) the applicant is receiving care from B in respect of that disability; or
 - (iii) B has arranged care or assistance for the applicant in respect of that disability;
 - (d) that, to the best of their knowledge and belief, the applicant has the disability specified in the application and that the applicant cannot reasonably be expected to go in person to their allotted petition signing place or to sign unaided there by reason of that disability; and
 - (e) that, to the best of their knowledge and belief, the disability specified in the application is likely to continue either indefinitely or for a period specified by the person attesting the application.
- (5) Paragraphs (2) to (4) do not apply where—
- (a) in England and Wales, the application is based on the applicant’s blindness and the applicant is registered as a blind person by the local authority which is specified in the application and which has made arrangements for the applicant under section 29(1) of the National Assistance Act 1948⁽²⁹⁾;
 - (b) in Scotland, the application is based on the applicant’s blindness and the applicant is registered as a blind person by a local authority which is specified in the application;
 - (c) the applicant is in receipt of—
 - (i) the higher rate of the mobility component of a disability living allowance (payable under section 73 of the Social Security Contributions and Benefits Act 1992)⁽³⁰⁾,
 - (ii) the enhanced rate of the mobility component of personal independence payment (payable under section 79(2) of the Welfare Reform Act 2012)⁽³¹⁾, or
 - (iii) the armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011⁽³²⁾,
 because of the disability specified in the application, and the fact that a person is registered with a local authority as a blind person mentioned in this paragraph is deemed sufficient evidence that the applicant is eligible to sign the petition by proxy on the grounds set out in regulation 51(3)(c).
- (6) A manager (or person authorised to act on behalf of such a manager) attesting an application by virtue of paragraph (2)(l) must, instead of the matters specified in paragraph (4)(a), state in the attestation—
- (a) the name of the person attesting the application;
 - (b) that the person is authorised to attest the application;
 - (c) the position of the person in the hospital at which the applicant is liable to be detained or at which the applicant is receiving treatment;
 - (d) the statutory provision under which the applicant is detained, or liable to be detained, at the hospital, where applicable.

⁽²⁹⁾ 1948 c. 29.

⁽³⁰⁾ 1992 c. 4.

⁽³¹⁾ 2012 c. 5.

⁽³²⁾ S.I. 2011/2552.

Additional requirements for applications for a proxy signature for an indefinite period on grounds of blindness or other disability: Northern Ireland

65.—(1) An application to sign the petition by proxy for an indefinite period under regulation 52(1) in pursuance of the grounds under paragraph (4)(c) of that regulation must specify the disability by reason of which it is made.

(2) Such an application must be attested and signed by a person who is registered in the register of parliamentary electors and who is—

- (a) a registered medical practitioner;
- (b) a registered nurse;
- (c) a social worker registered under the principal part of the register maintained by the Northern Ireland Social Care Council under section 3 of the Health and Personal Services Act (Northern Ireland) 2001⁽³³⁾;
- (d) a Christian Science practitioner;
- (e) the person registered under the Registered Homes (Northern Ireland) Order 1992⁽³⁴⁾ as carrying on a residential care home within the meaning of article 3 of that Order or a nursing home within the meaning of article 16 of that Order, where the applicant states that he or she is resident in such a home;
- (f) the person in charge of residential accommodation provided under article 15 of the Health and Personal Social Services (Northern Ireland) Order 1972⁽³⁵⁾, where the applicant states that he or she is resident in such accommodation; or
- (g) the manager or other person in charge of premises forming one of a group of premises provided for persons of pensionable age or persons with a disability for which there is a resident manager or other person in charge, where the applicant states that he resides in such premises.

(3) The person attesting the application (“A”) must state—

- (a) A’s name and address and the qualification by virtue of which A attests the application;
- (b) that A is registered in the register of parliamentary electors;
- (c) that, to the best of A’s knowledge and belief, the applicant has the disability specified in the application and that the applicant cannot reasonably be expected to go in person to their allotted signing place or to sign the petition unaided there by reason of that disability; and
- (d) that, to the best of A’s knowledge and belief, the disability specified in the application is likely to continue either indefinitely or for a period specified by A.

(4) Paragraphs (2) and (3) do not apply where—

- (a) the application is based on the applicant’s blindness and the applicant is registered as a blind person by a Health and Social Care Trust which is specified in the application; or
- (b) the application states that the applicant is in receipt of—
 - (i) the higher rate of attendance allowance (payable under section 65 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992⁽³⁶⁾),
 - (ii) the highest rate of the care component or the higher rate of the mobility component (or both) of the disability living allowance (payable under section 72 and section 73 of that Act), or

⁽³³⁾ 2001 c. 3.

⁽³⁴⁾ 1992 No. 3204 (N.I.20).

⁽³⁵⁾ 1972 No.1265 (N.I. 14)].

⁽³⁶⁾ 1992 c. 7.

(iii) armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011,

because of the disability specified in the application, and the fact that an applicant is registered with a Health and Social Care Trust as a blind person, as mentioned in this paragraph is to be deemed sufficient evidence that the applicant is eligible to sign by proxy as set out in regulation 52(4)(c).

Additional requirements for applications for a proxy signature for a definite or an indefinite period based on occupation, service, employment or attendance on a course

66.—(1) An application to sign the petition by proxy for a particular or an indefinite period under regulation 51(2) in pursuance of the grounds under paragraph (3)(d) of that regulation, or for an indefinite period under regulation 52(1) in pursuance of the grounds under paragraph (4)(d) of that regulation (as the case may be) must state—

- (a) whether the occupation, service or employment in respect of which it is made is that of the applicant or the applicant’s spouse or civil partner or, as the case may be, it is the applicant or the applicant’s spouse or civil partner who is attending the course provided by an educational institution by reason of which the application is made;
 - (b) the nature of the occupation, service or employment or course provided by an educational institution giving rise to the application;
 - (c) where the person in respect of whose occupation, service or employment the application is made (in this regulation referred to as “the employed person”) is self-employed, that fact; and in any other case the name of that person’s employer;
 - (d) the reason, relevant to the general nature of the employment, service or occupation in question or the course provided by an educational institution, why the applicant cannot reasonably be expected to go in person to the allotted petition signing place.
- (2) Such an application must be attested and signed—
- (a) where the person is self-employed, by a person who—
 - (i) is aged 18 years or over;
 - (ii) knows the self-employed person; and
 - (iii) is not related to that person;
 - (b) by the employer of the employed person or by another employee to whom this function is delegated by the employer; and
 - (c) in the case of a course provided by an educational institution, by the director or tutor of that course or by the principal or head of that institution or an employee to whom this function is delegated by the principal or head.
- (3) The person attesting an application under paragraph (2) must—
- (a) where the applicant is the employed person, self-employed person or the person attending the course, certify that the statements required by paragraph (1)(a) to (d) to be included in the application are true; or
 - (b) where the applicant is the spouse or civil partner of the employed person, self-employed person or the person attending the course, certify that the statements included in the application in accordance with the requirements of paragraph (1)(a) to (c) are true.
- (4) The person (“A”) attesting an application under paragraph (2) must also state—
- (a) A’s name and address, that A is aged 18 years or over, that A knows the employed person, self-employed person or person attending a course provided by an educational institution but is not related to him or her; and

- (b) if A is attesting as or on behalf of the employer of the employed person, that A is the employer or the position A holds in the employment of that employer; or
- (c) if A is attesting an application made on the grounds of attendance at a course provided by an educational institution, the post A holds at that institution.

Additional provision concerning the requirement that an application for absent signing must be signed by the applicant: England and Wales and Scotland

67.—(1) The registration officer must be satisfied—

- (a) that an application under Chapter 1 of this Part meets any requirements that it has been signed by the applicant and states his or her date of birth by referring to any signature and date of birth previously provided by the applicant to the registration officer; and
- (b) as to whether the applicant is unable to provide a signature or a consistent signature due to any disability or inability to read and write.

Additional requirements for applications for a proxy signature in respect of a particular petition: England and Wales and Scotland

68.—(1) An application under regulation 53(2) to sign a particular petition by proxy must set out why the applicant's circumstances during the signing period in respect of the petition for which it is made will be, or are likely to be, such that they cannot reasonably be expected to sign in person at their allotted signing place.

(2) Where an application under regulation 53(2) is made—

- (a) on the grounds of the applicant's disability, and
- (b) after 5pm on the sixth day before the last day of the signing period for the petition for which it is made,

the requirements of regulation 64 (proxy signature on the grounds of disability) as to the matters to be specified and the attestation are to apply.

(3) Where an application mentioned in paragraph (2) is made, the person who attests the application ("A") must state, in addition to those matters specified in regulation 64, to the best of A's knowledge and belief, the date upon which the applicant became disabled.

(4) Where an application under regulation 53(2) is made—

- (a) on grounds relating to the applicant's occupation, service or employment, and
- (b) after 5pm on the sixth day before the last day of the signing period for the petition for which it is made,

the requirements of regulation 69 (emergency proxy signature) as to the matters to be specified and the attestation are to apply.

(5) Where an application under regulation 53(2) is made by a person to whom section 7(1) of the 1983 Act applies (patients in mental hospitals who are not detained offenders) after 5pm on the sixth day before the last day of the signing period for the petition for which it is made, the requirements of paragraph (6) as to the matters to be specified and as to attestation are to apply.

(6) Where an application mentioned in paragraph (5) is made—

- (a) the application must additionally state the name and address of the hospital at which the applicant is liable to be detained; and
- (b) the application must be attested by the manager, within the meaning of section 145(1) of the Mental Health Act 1983, or section 329 of the Mental Health (Care and Treatment) (Scotland) Act 2003, responsible for the administration of the hospital at which the

applicant is liable to be detained, or a person authorised to act on behalf of such a manager for these purposes, and the attestation must state—

- (i) the name of the person attesting the application;
- (ii) that the person is authorised to attest the application;
- (iii) the position of the person in the hospital at which the applicant is liable to be detained; and
- (iv) the statutory provision under which the applicant is detained or liable to be detained at the hospital, where applicable.

(7) This regulation does not apply where the applicant has an anonymous entry.

Additional requirements: applications for an emergency proxy signature in respect of a particular petition: England and Wales and Scotland

69.—(1) This regulation sets out the requirements referred to in regulation 68(4).

(2) The application must (in addition to providing the information required by regulation 68(1)) state—

- (a) where the applicant is self-employed, that fact; and in any other case, the name of the applicant's employer;
- (b) that the reason provided in accordance with regulation 68(1) relates to the applicant's occupation, service or employment; and
- (c) the date on which the applicant became aware of that reason.

(3) Paragraphs (4) to (6) apply unless the applicant is or will be registered as a service voter.

(4) The application must be attested and signed—

- (a) where the applicant is self-employed, by a person who—
 - (i) is aged 18 years or over;
 - (ii) knows the applicant; and
 - (iii) is not related to the applicant;
- (b) where the applicant is not self-employed, by the applicant's employer or by another employee to whom this function is delegated by the employer.

(5) The person ("A") attesting an application under paragraph (4) must certify that the statements required by paragraph (2) and the information required by regulation 68(1) are true to the best of their knowledge and belief.

(6) A must also state—

- (a) A's name and address, and
- (b) if A is attesting—
 - (i) where the applicant is self-employed, that A is aged 18 years or over and that A knows, but is not related to the applicant, or
 - (ii) as or on behalf of the employer of the applicant, that A is the employer, or the position that A holds in the employment of that employer.
- (c) if A is attesting an application made on the grounds of attendance at a course provided by an educational institution, the post that A holds at that institution.

Additional requirements for applications in respect of a particular petition: Northern Ireland

70.—(1) This regulation applies to an application under regulation 54(1) to sign a particular petition by proxy.

(2) The application must set out why the applicant's circumstances during the signing period for the petition for which it is made will be or are likely to be such that the applicant cannot reasonably be expected to sign the petition in person at the petition signing place allotted or likely to be allotted to the applicant under regulation 16 (allotment of petition signing places).

(3) Except in respect of an application to which paragraph (5) or (7) applies, such an application must be signed and attested by a person who—

- (a) is aged 18 years or over;
- (b) resides in the United Kingdom;
- (c) knows the applicant but is not related to them; and
- (d) has not attested under this paragraph any other application in respect of the petition for which the application that person attests is made.

(4) The person (P) attesting an application under paragraph (3) must state—

- (a) P's full name and address,
- (b) that P is aged 18 years or over,
- (c) that P resides in the United Kingdom,
- (d) that P knows the applicant but is not related to that person, and
- (e) that P has not attested under paragraph (3) any other application in respect of the petition for which the application P attests is made,

and must certify that, to the best of P's knowledge and belief, the statement included in the application in accordance with paragraph (2) is true.

(5) This paragraph applies in respect of an application in which the circumstances set out in accordance with paragraph (2) are that the applicant will be, or is likely to be, ill during the signing period, and which—

- (a) specifies the illness which the applicant is likely to suffer from; and
- (b) is attested and signed by one of the persons specified in subparagraphs (a), (b) or (c) of regulation 65(2) (proxy signature on grounds of disability).

(6) The person (P) attesting an application under paragraph (5) must state—

- (a) P's name and address;
- (b) that P is registered in the register of parliamentary electors;
- (c) the qualification by virtue of which P is authorised to attest it;
- (d) that P has seen the applicant in connection with the circumstances set out in the application in accordance with paragraph (2); and
- (e) that, to the best of P's knowledge and belief the applicant—
 - (i) is suffering from the illness specified in the application,
 - (ii) will be or is likely to be so suffering during the whole of the signing period, and
 - (iii) cannot reasonably be expected to sign the petition in person at the petition signing place allotted or likely to be allotted to the applicant under regulation 16 (allotment of petition signing places) because of that illness.

(7) This paragraph applies in respect of an application—

- (a) which is received by the registration officer after 5pm on the eleventh day before the end of the signing period but before 5pm on the sixth day before the end of that period;
- (b) in which the circumstances set out in accordance with paragraph (2) relate to the applicant's employment either as a constable or person employed by the petition officer to attend at the petition signing place during the signing period of the petition for which the application is made;
- (c) which states the employment in question; and
- (d) in the case of a constable, which is signed by a member of the Police Service of Northern Ireland of or above the rank of chief inspector.

Closing date for applications: England and Wales and Scotland

71.—(1) An application under regulations 51(1), (6) or (7), or 58(5) must be disregarded for the purposes of a particular petition if it is received by the registration officer after 5pm on the eleventh day before the last day of the signing period.

(2) An application under regulations 51(2) or 57(6) must be disregarded for the purposes of a particular petition if it is received by the registration officer after 5pm on the sixth day before the last day of the signing period.

(3) Subject to paragraph (4), an application under regulations 53(2) and 57(7) must be refused if it is received by the registration officer after 5pm on the sixth day before the last day of the signing period at the petition for which it is made.

(4) Where an application made under regulation 53(2) is made—

- (a) on the grounds of the applicant's disability and the applicant became disabled after 5 pm on the sixth day before the last day of the signing period at the petition for which it is made;
- (b) on grounds relating to the applicant's occupation, service or employment and the applicant became aware of those grounds after 5pm on the sixth day before the last day of the signing period at the petition for which it is made; or
- (c) by a person to whom section 7 of the 1983 Act (mental health patients who are not detained offenders) applies and who is liable, by virtue of any enactment to be detained in the mental hospital in question, whether that person is registered by virtue of that provision or not,

the application, or an application under regulation 57(7) made by virtue of that application, must be refused if it is received less than 5 hours before the end of the signing period.

(5) An application under regulation 53(1) or 58(8) must be refused if it is received by the registration officer after 5pm on the eleventh day before the last day of the signing period at the petition for which it is made.

(6) An application under—

- (a) regulation 51(5)(a) by an elector to be removed from the record kept under regulation 51(4), or
- (b) regulation 58(11)(a) by a proxy to be removed from the record kept under regulation 58(7),

and a notice under regulation 57(9) by an elector cancelling a proxy's appointment must be disregarded for the purposes of a particular petition if it is received by the registration officer after 5pm on the eleventh day before the last day of the signing period at that petition.

(7) Any application or notice mentioned in this regulation must be disregarded for the purposes of a particular petition if, before the application or notice is considered by the registration officer, the elector or proxy has returned a postal signing sheet to the petition officer (except where it has been returned in accordance with regulation 94 or 96 (spoilt and lost postal signing sheets)).

Closing date for applications: Northern Ireland

72.—(1) An application under regulations 52(1) or (7), 57(6) or 58(5) must be disregarded for the purposes of a particular petition if it is received by the registration officer after 5pm on the eleventh day before the last day of the signing period.

(2) Subject to paragraph (3), an application under regulations 54(1), 57(7) or 58(8) must be refused if it is received by the registration officer after 5pm on the eleventh day before the last day of the signing period.

(3) Paragraph (2) is not to apply to an application which satisfies the requirements of regulation 70(7) (person employed as a constable or person attending at signing places); and such an application must be refused if it received by the registration officer after 5pm on the sixth day before the last day of the signing period.

(4) An application under—

(a) regulation 52(6)(a) by an elector to be removed from the record kept under regulation 52(5), or

(b) regulation 58(11)(a) by a proxy to be removed from the record kept under regulation 58(7), and a notice under regulation 57(9) by an elector cancelling a proxy's appointment must be disregarded for the purposes of a particular petition if it is received by the petition officer after 5 pm on the eleventh day before the last day of the signing period at that petition.

(5) Any application or notice mentioned in this regulation must be disregarded for the purposes of a particular petition if, before the application or notice is considered by the registration officer, the elector or proxy has returned a postal signing sheet to the petition officer (except where it has been returned in accordance with regulation 95 and 97 (spoilt and lost postal signing sheets)).

Grant or refusal of applications

73.—(1) Where the registration officer grants an application to sign the petition by post, the officer must notify the applicant of that decision.

(2) Where the registration officer grants an application for the appointment of a proxy, that officer must confirm in writing to the elector that the proxy has been appointed, the proxy's name and address and the duration of the appointment.

(3) Where the registration officer refuses an application under this Part, the officer must notify the applicant of that decision and of the reasons for it.

(4) Where the registration officer grants an application made under—

(a) regulation 53(4) by a person shown as signing the petition by post in the record kept under regulation 51(4),

(b) regulation 54(4) by a person shown as signing the petition by post in the record kept under regulation 52(5),

(c) regulation 58(8) by a person shown as signing the petition by post in the record kept under regulation 58(7),

the officer must notify the applicant of this.

(5) Where a person is removed from the record kept pursuant to regulation 51(4), 52(5) or 58(7) the registration officer must where practicable notify that person of this and the reason for it.

(6) Where the appointment of a proxy is cancelled by the elector or otherwise ceases to be in force, the registration officer must, where practicable, notify the elector that the appointment has been cancelled or, as the case may be, notify the elector that the appointment has ceased and the reasons for it.

(7) Where under regulation 71 or 72 (closing date for applications) the registration officer disregards an application for the purposes of a particular petition, the officer must, where practicable, notify the applicant of this.

(8) The registration officer must send to the petition officer details of any application to sign the petition by post which has been granted under this Chapter as soon as practicable after doing so.

Appeals: England and Wales

74.—(1) An appeal lies to the county court from a decision of the registration officer refusing an application—

- (a) to sign a petition by post or proxy under regulation 51(1) or (2) or 53(1) or (2);
- (b) to sign a petition by post as proxy under regulation 58(5);
- (c) to sign a petition by proxy instead of post or by post instead of proxy under regulation 51(6) or (7);
- (d) for a signing sheet to be sent to a different address under regulation 53(4)(a) or 58(8);
- (e) to appoint a proxy under regulation 57(6) and (7).

(2) No appeal lies from the decision of the Court of Appeal on a decision from an appeal from the county court under this regulation.

(3) An appeal to the county court or Court of Appeal by virtue of this regulation which is pending when notice of a petition is given under regulation 14 (notice of petition) does not prejudice the operation as respects the petition of the decision appealed against, and anything done in pursuance of the decision—

- (a) is as good as if no such appeal had been brought; and
- (b) is not affected by the decision of the appeal.

(4) The registration officer must make the necessary entries in the record kept under regulation 51(4) and 58(7) as may be required to give effect to that decision.

(5) On any appeal, the registration officer is deemed to be a party to the proceedings and the registration expenses payable to that officer include any expenses properly incurred by virtue of this regulation.

Appeals: Scotland

75.—(1) An appeal lies to the sheriff from a decision of the registration officer refusing an application—

- (a) to sign a petition by post or proxy under regulation 51(1) or (2) or 53(1) or (2);
- (b) to sign a petition by post as proxy under regulation 58(5);
- (c) to sign a petition by proxy instead of post or by post instead of proxy under regulation 51(6) or (7);
- (d) for a signing sheet to be sent to a different address under regulation 53(4)(a) or 58(8);
- (e) to appoint a proxy under regulation 57(6) and (7).

(2) An appeal lies on any point of law from any decision of the sheriff under this regulation to the court of three judges constituted under paragraph (3).

(3) The court for hearing appeals under paragraph (2) is to consist of three judges of the Court of Session who are to be appointed by the Court of Session by act of sederunt and of whom one judge is to be appointed from each division of the Inner House and one from the Lords Ordinary in the Outer House; and the Principal Clerk of Session is to be clerk of the court.

(4) The Court of Session may by act of sederunt fill any vacancy in the court of three judges, and regulate its sittings and forms of process so as to carry out the provisions of these Regulations; and acts of sederunt under this regulation may be made, and the court of three judges may sit, either during the sitting of the Court of Session or in vacation or recess.

(5) No appeal lies from a decision of the Court of Session on a decision from an appeal from the sheriff under this regulation.

(6) An appeal to the sheriff or Court of Session by virtue of this regulation which is pending when notice of a petition is given under regulation 14 (notice of petition) does not prejudice the operation as respects the petition of the decision appealed against, and anything done in pursuance of the decision—

- (a) is as good as if no such appeal had been brought; and
- (b) is not affected by the decision of the appeal.

(7) The registration officer must make the necessary entries in the record kept under regulation 51(4) and 58(7) as may be required to give effect to that decision.

(8) On any appeal, the registration officer is deemed to be party to the proceedings and the registration expenses payable to that officer include any expenses properly incurred by virtue of this regulation.

Appeals: Northern Ireland

76.—(1) An appeal lies to the county court from any decision under these Regulations of the Chief Electoral Officer for Northern Ireland refusing a person's application—

- (a) to sign a petition by post or proxy under regulation 52(1) or 54(1);
- (b) to sign a petition by post as proxy under regulation 58(5);
- (c) to sign a petition by proxy instead of post or by post instead of proxy under regulation 52(7);
- (d) for a signing sheet to be sent to a different address under regulation 54(4)(a) or 58(8);
- (e) to appoint a proxy under regulation 57(6) and (7).

(2) An appeal to the county court or Court of Appeal by virtue of this regulation which is pending when notice of a petition is given under regulation 14 (notice of petition) does not prejudice the operation as respects the petition of the decision appealed against, and anything done in pursuance of the decision—

- (a) is as good as if no such appeal had been brought, and
- (b) is not affected by the decision of the appeal.

(3) The Chief Electoral Officer for Northern Ireland must make the necessary entries in the record kept under regulation 52(5) and 58(7) as may be required to give effect to that decision.

(4) On any appeal, the Chief Electoral Officer is deemed to be a party to the proceedings and the registration expenses payable to him or her include any expenses properly incurred by virtue of this regulation.

(5) Section 21(1) of the Interpretation Act (Northern Ireland) 1954 (rules regulating procedure of courts etc) applies as if the jurisdiction conferred by subsection (1) were conferred by any enactment within the meaning of that Act.

Notice of appeal

77.—(1) A person desiring to appeal under regulations 74, 75 or 76 against the decision of a registration officer must give notice of the appeal to the registration officer within 14 days of the

receipt of the notice given under regulation 73 (grant or refusal of applications), specifying the grounds of appeal.

(2) The registration officer must forward any such notice to the appropriate court in the manner directed by rules of court together in each case with a statement of the material facts which in that officer's opinion have been established in the case, of his decision upon the whole case and on any point which may be specified as a ground of appeal.

(3) Where it appears to the registration officer that any notices of appeal given to that officer are based on similar grounds, the officer must inform the court of this to enable the court (if it thinks fit) to consolidate the appeals or select a case as a test case.

(4) In the application of this regulation to Scotland, a reference to the court is to be read as a reference to the sheriff.

Cancellation of proxy appointment

78. Where the appointment of a proxy is cancelled by notice given to the registration officer under regulation 57(9) or ceases to be in force under regulation 57(10), the petition officer must—

- (a) notify the person whose appointment as proxy has been cancelled, expired or is no longer in force, unless the registration officer has previously been notified by that person that they no longer wish to act as proxy; and
- (b) remove that person's name from the record kept under regulation 51(4) or regulation 52(5) (as the case may be).

Inquiries by registration officer

79.—(1) The registration officer may, at such times as he or she considers appropriate, make inquiries of a person who is shown as signing the petition by proxy in the record kept under—

- (a) regulation 51(4) in pursuance of an application granted on the grounds set out in regulation 51(3)(c) or (d), or
- (b) regulation 52(5) in pursuance of an application granted on the grounds set out in regulation 52(4)(c) or (d),

for the purpose of determining whether there has been a material change of circumstances.

(2) Where the grant of an application to sign the petition by proxy for an indefinite or particular period was based on the grounds referred to in regulation 51(3)(d) or an indefinite period in regulation 52(4)(d) the registration officer must make the inquiries referred to not later than three years after the granting of the application or of the last such inquiries.

(3) The petition officer may treat the failure by a person of whom inquiries have been made to respond to such inquiries within one month of the date on which they were made as sufficient evidence of a material change in circumstances.

Records and lists kept under this Part

80.—(1) The registration officer must, on request, supply free of charge a copy of the lists kept under regulation 55 and regulation 56 (absent signers lists) and regulation 58(9) (proxy postal signers list) to—

- (a) a registered political party, other than a minority party, within the meaning of section 160(1) of PPERA 2000 (general interpretation);
- (b) the MP to whom a petition relates;
- (c) the Electoral Commission;

- (d) the Security Service, Government Communications Headquarters and the Secret Intelligence Service;
 - (e) any police force in Great Britain, the Police Service of Northern Ireland, the Police Service of Northern Ireland (Reserve), the National Crime Agency, the Police Information and Technology Organisation and any body or constables established under an Act of Parliament; and
 - (f) an accredited campaigner within the meaning of Part 5 of Schedule 3 to the Act.
- (2) The registration officer must make available for inspection at his or her office a copy of the records kept under regulation 51(4) and 52(5) and 58(8).
- (3) As soon as practicable after 5pm on the cut off day the registration officer must—
- (a) publish the lists kept under regulation 55, 56 and 58(9) by making a copy of them available for inspection at his or her office; and
 - (b) send to the petition officer a copy of those lists.
- (4) The registration officer must not disclose or supply information covered by this regulation any record relating to—
- (a) a person who has an anonymous entry; or
 - (b) the proxy of a person who has an anonymous entry.
- (5) Where inspection takes place by providing a copy of the information on a computer screen or otherwise in data form, the registration officer must ensure that the manner in, and equipment on, which that copy is provided do not permit any person consulting that copy to—
- (a) search it by electronic means by reference to the name of any person; or
 - (b) copy or transmit any part of that copy by electronic, or any other means.
- (6) A person who inspects a copy of the information, whether a printed copy or in data form, may not—
- (a) make copies of any part of it, or
 - (b) record any particulars in it,
- otherwise than by means of hand-written notes.
- (7) No person who has obtained access to a copy of a list referred to under paragraph (1), or information contained in such lists, may—
- (a) supply a copy of that list,
 - (b) disclose any information contained in those lists (that is not disclosed in the edited register), or
 - (c) make use of any such information,
- other than for a permitted purpose specified in paragraph (8).
- (8) The permitted purposes are—
- (a) where a copy of any information was supplied to a person or body referred to in paragraph (1)(d) or (e)—
 - (i) the prevention and detection of crime and the enforcement of the criminal law (whether in the United Kingdom or elsewhere), or
 - (ii) the vetting of a relevant person (within the meaning of regulation 109(5) of the 2001 Regulations and regulation 108(5) of the 2001 (Scotland) Regulations) for the purposes of safeguarding national security.
 - (b) where a copy of any information was supplied to the Electoral Commission, in connection with their functions under, or by virtue of PPERA 2000;

- (c) in any other case, for petition purposes.
- (9) In this regulation, a relevant person means—
 - (a) a constable or officer or prospective constable or officer of any force or organisation referred to in paragraph (1)(e); or
 - (b) an employee of, or applicant for employment by, that force or organisation.

Marked register for petition signing place

81. To indicate that an elector or that person’s proxy is entitled to sign the petition by post and is for that reason not entitled to sign the petition in person, the letter “A” must be placed against the entry of the elector in any copy of the register, or part of it, provided at a petition signing place.

PART 5

ISSUE AND RECEIPT OF POSTAL SIGNING SHEETS

CHAPTER 1

General

Interpretation of Part 5

- 82.** For the purposes of this Part—
- “covering envelope” and “signing sheet envelope” have the meaning given by regulation 91 (envelopes);
 - “postal signer” means an elector or proxy who is entitled to sign the petition by post;
 - “postal signers’ ballot box” and “postal ballot box” have the meaning given by regulation 101 (postal ballot boxes and receptacles);
 - “postal signing pack” means for England and Wales and Scotland, the documents referred to in regulation 85(1)(a); and for Northern Ireland, the documents referred to in regulation 85(1)(b) (postal signing packs);
 - “receptacle for signing sheet envelopes” and other references to specified receptacles, means the receptacles referred to in regulation 101 (postal ballot boxes and receptacles);
 - “spoilt postal signing sheet” for England and Wales and Scotland, has the meaning given by regulation 94; and for Northern Ireland has the meaning given by regulation 95 (spoilt postal signing sheets);
 - “valid declaration of identity” means a declaration of identity which satisfies the conditions in regulation 105 (procedure in relation to declaration of identity);
 - “valid postal petition statement” means a postal petition statement which, in accordance with regulation 107 (procedure in relation to postal petition statements), the petition officer is satisfied has been duly completed.

Form of postal petition statement: England and Wales and Scotland

83. The form of the postal petition statement to be used in England and Wales and Scotland for the purposes of a petition must be in the form of Form K in Schedule 2.

Form of declaration of identity: Northern Ireland

84. The form of the declaration of identity to be used in Northern Ireland for the purposes of a petition must be in the form of Form M in Schedule 2.

Postal signing packs

85.—(1) The petition officer must issue to a person entitled to sign a petition by post—

- (a) for a petition in England and Wales or Scotland—
 - (i) a postal signing sheet,
 - (ii) a postal petition statement, and
 - (iii) envelopes for their return which comply with regulation 91 (envelopes);
- (b) for a petition in Northern Ireland—
 - (i) a postal signing sheet,
 - (ii) a declaration of identity, and
 - (iii) envelopes for their return which comply with regulation 91 (envelopes).

(2) The petition officer must also issue to such persons such information as the officer thinks appropriate about how to obtain—

- (a) translations into languages other than English of any directions to, or guidance for, signers sent with a postal signing sheet;
- (b) a translation into Braille of such directions or guidance;
- (c) graphical representations of such directions or guidance;
- (d) the directions or guidance in any other form (including any audible form).

(3) The petition officer must ensure that the return of the postal signing sheet and postal petition statement or declaration of identity (as the case may be) is free of charge to the postal signer.

Time when postal signing packs are to be issued

86. A petition officer must issue the postal signing packs as soon as reasonably practicable to do so and, in any event—

- (a) between one and three working days before the designated day⁽³⁷⁾;
- (b) on the tenth and twentieth working day after the designated day; and
- (c) by the eighth working day before the last day of the signing period.

CHAPTER 2

Issue of Postal Signing Sheets

Procedure on issue of postal signing sheets

87.—(1) The number of the elector as stated in the register must be marked on the corresponding number list, next to the number and unique identifying mark of the signing sheet issued to that elector.

(2) A mark must be placed in the postal signers list or the proxy postal signers list against the number of the elector to denote that a signing sheet has been issued to the elector or the elector's proxy, but without showing the particular signing sheet issued.

(37) See section 7(1) of the Act; “designated day” means the day from which the petition is made available for signing.

(3) The number on a postal signing sheet and the name of the postal signer (unless the signer is an anonymous elector) must be marked on the postal petition statement or, in the case of Northern Ireland, on the declaration of identity, sent with that signing sheet.

(4) Subject to paragraph (5), the address to which the postal signing pack must be sent is—

- (a) in the case of an elector, the address shown in the postal signers list;
- (b) in the case of a proxy, the address shown in the proxy postal signers list.

(5) Where a person has an anonymous entry in the register, the postal signing pack must be sent to the address—

- (a) as shown in the record kept under regulations 51(4), 52(5) or 58(7); or
- (b) as given in pursuance of an application made under paragraph 53(1) or (2) or 54(1).

Refusal to issue postal signing sheet

88. Where the petition officer is satisfied that two or more entries in the postal signers list, list of proxies, or the proxy postal signers list, or an entry in two or more of those lists, relates to the same elector, the officer must not issue more than one postal signing sheet in respect of that elector any at one petition.

Persons entitled to be present at proceedings on issue of postal petition signing sheets

89. No person may be present at the proceedings on the issue of postal signing sheets other than—

- (a) the petition officer;
- (b) any assistants of the petition officer;
- (c) a petition clerk; or
- (d) any representative of the Electoral Commission.

Notification of requirement of secrecy

90. The petition officer must make such arrangements as the officer considers appropriate to ensure that every person attending the proceedings in connection with the issue or receipt of postal signing sheets has been given a copy in writing of the provisions of regulation 123(5) and (6) (requirement of secrecy).

Envelopes

91.—(1) This regulation prescribes the envelopes which must be issued with the postal signing packs under regulation 85 (postal signing packs).

(2) There must be issued an envelope (“covering envelope”) marked with the letter “B” for the return—

- (a) in England and Wales and Scotland, of the postal signing sheet and postal petition statement;
- (b) in Northern Ireland, of the postal signing sheet and the declaration of identity.

(3) There must also be issued a smaller envelope (“signing sheet envelope”) which is to be marked with—

- (a) the letter “A”;
- (b) the words “postal signing sheet envelope”; and
- (c) unless the envelope has a window through which the number on the postal signing sheet can be displayed, the number of that sheet.

Sealing up of corresponding number lists and security of special lists

92.—(1) As soon as practicable after the issue of each batch of postal signing sheets, the petition officer must make up into a packet the completed corresponding number lists of those signing sheets which have been issued and must seal the packet.

(2) Until the time referred to in regulation 104 (opening of covering envelopes) the petition officer must take proper precautions for the security of the marked copy of the special lists.

Delivery of postal signing sheets

93.—(1) For the purposes of delivering postal signing packs, the petition officer may use—

- (a) a universal postal service provider; or
- (b) a commercial delivery firm.

(2) Where the services of a universal postal service provider or commercial delivery firm are to be used, envelopes addressed to postal signers must be counted and delivered by the petition officer with such form of receipt to be endorsed by that provider or firm as may be arranged.

(3) Postage must be prepaid on envelopes addressed to the postal signers.

(4) Return postage must be prepaid on all covering envelopes where the address provided by the postal signer for the receipt of the signing sheet is within the United Kingdom.

Spoilt postal signing sheets: England and Wales and Scotland

94.—(1) Where a postal signer has inadvertently dealt with their postal signing sheet or postal petition statement in such a manner that it cannot be conveniently used as such (“spoilt signing sheet” or “spoilt postal petition statement”) (as the case may be) that person may return (either by hand or by post) to the petition officer the spoilt signing sheet or spoilt petition statement (as the case may be).

(2) Where a person exercises the entitlement conferred by paragraph (1), they must also return—

- (a) the postal signing sheet or postal petition statement (as the case may be), whether spoilt or not; and
- (b) the envelopes supplied for the return of those documents.

(3) Subject to paragraph (4), on receipt of a document referred to in paragraph (1) (and, where applicable, paragraph (2)), the petition officer must issue another postal signing sheet, except where those documents are received within the five hours before the end of the signing period.

(4) Where the petition officer receives the documents referred to in paragraph (1) (and, where applicable paragraph (2)), after 5pm on the day before the last day of the signing period, the petition officer may issue another postal signing sheet only if the documents were returned by hand.

(5) The following provisions apply to the issue of a replacement postal signing sheet under paragraphs (3) and (4)—

- (a) regulation 87 (except paragraph (2)) (procedure on issue of postal signing sheets);
- (b) regulations 91 (envelopes) and 92 (sealing up of corresponding number lists and security of special lists);
- (c) subject to paragraph (8), regulation 93 (delivery of postal signing sheets).

(6) Any postal signing sheet or postal petition statement, whether spoilt or not, returned in accordance with paragraph (1) or (2) must be cancelled immediately.

(7) The petition officer, as soon as practicable after cancelling those documents, must make them up into a separate packet and must seal the packet; and if on any subsequent occasion such documents are cancelled, the sealed packet must be opened and the additional cancelled documents included in it and the packet must again be made up and sealed.

- (8) Where a person referred to in paragraph (1) applies in person—
- (a) before 5pm on the day before the last day of the signing period, the petition officer may hand a replacement postal signing sheet and postal petition statement to that person,
 - (b) after 5pm on that day, the petition officer may only hand a replacement postal signing sheet and postal petition statement to that person,

instead of delivering it in accordance regulation 93.

- (9) The petition officer must enter in a list (“the list of spoilt postal signing sheets”)—
- (a) the name and number of the elector as stated in the register (or the electoral number alone in the case of an elector who has an anonymous entry);
 - (b) the number of the postal signing sheet issued under this regulation; and
 - (c) where the postal signer whose signing sheet is spoilt is a proxy, their name and address (or, in the case of a proxy who has an anonymous entry or is the proxy for a person with an anonymous entry, the proxy’s electoral number alone or a statement that the proxy is not registered in the register of parliamentary electors (as the case may be)).

Spoilt postal signing sheets: Northern Ireland

95.—(1) Where a postal signer has inadvertently dealt with their postal signing sheet or declaration of identity in such a manner that it cannot be conveniently used as such (“spoilt postal signing sheet” or “spoilt declaration of identity”) (as the case maybe), that person may return (either by hand or by post) to the petition officer the spoilt signing sheet or spoilt declaration of identity (as the case may be).

- (2) Where a person exercises the entitlement conferred by paragraph (1), they must also return—
- (a) the postal signing sheet or declaration of identity (as the case maybe), whether spoilt or not; and
 - (b) the envelopes supplied for the return of those documents.

(3) On receipt of a document referred to in paragraph (1) (and, where applicable, paragraph (2)), the petition officer must issue another postal signing sheet, except where those documents are received after 5pm on the day before the last day of the signing period.

(4) The following provisions apply to the issue of a replacement postal signing sheet under paragraph (3)—

- (a) regulation 87 (except paragraph (2)) (procedure on issue of postal signing sheets);
- (b) regulations 91 (envelopes) and 92 (sealing up of corresponding number lists and security of special lists);
- (c) subject to paragraph (7), regulation 93 (delivery of postal signing sheets).

(5) Any postal signing sheet or declaration of identity, whether spoilt or not, returned in accordance with paragraph (1) or (2) must be cancelled immediately.

(6) The petition officer, as soon as practicable after cancelling those documents, must make them up into a separate packet and must seal the packet; and if on any subsequent occasion such documents are cancelled, the sealed packet must be opened and the additional cancelled documents included in it and the packet must again be made up and sealed.

(7) Where a postal signer applies in person, the petition officer may hand a replacement postal signing sheet to that person instead of delivering it in accordance with regulation 93.

(8) The petition officer must enter in a list kept for the purpose of recording spoilt postal signing sheets (“the list of spoilt postal signing sheets”)—

- (a) the name and number of the elector as stated in the register (or the electoral number alone in the case of an elector who has an anonymous entry);
- (b) the number of the postal signing sheet issued under this regulation; and
- (c) where the postal signer whose signing sheet is spoilt is a proxy, their name and address (or, in the case of a proxy who has an anonymous entry or is the proxy for a person with an anonymous entry, the proxy's electoral number alone or a statement that the proxy is not registered in the register of parliamentary electors (as the case may be)).

Lost postal signing sheets: England and Wales and Scotland

96.—(1) Where a postal signer claims either to have lost or not to have received—

- (a) the postal signing sheet,
- (b) the postal petition statement, or
- (c) one or more of the envelopes supplied for their return,

by the fourth day before the last day of the signing period, the postal signer may apply (whether or not in person) to the petition officer for a replacement signing sheet.

(2) Such an application must include evidence of the postal signer's identity.

(3) Where a postal signer exercises the entitlement conferred by paragraph (1), they must return the documents (if any) referred to in paragraph (1)(a) to (c) which the postal signer has received and which have not been lost.

(4) Any postal signing sheet or postal petition statement returned in accordance with paragraph (3) must be cancelled immediately and the petition officer must take any administrative steps which that officer considers appropriate for the purpose of preventing an elector signing the petition more than once.

(5) The petition officer, as soon as practicable after cancelling those documents, must make them up in a separate packet and must seal the packet; and if on any subsequent occasion such documents are cancelled, the sealed packet must be opened and the additional cancelled documents included in it and the packet must be again made up and sealed.

(6) Subject to paragraph (7), the petition officer must issue another postal signing sheet where the application is received by the petition officer at least five hours before the end of the signing period and the petition officer—

- (a) is satisfied as to the postal signer's identity; and
- (b) has no reason to doubt that the postal signer has either lost or has not received the original postal signing statement or postal petition statement or one or more of the envelopes provided for their return.

(7) Where the application is received by the petition officer after 5pm on the day before the last day of the signing period, the officer may only issue another postal signing sheet if the postal signer applies in person.

(8) The petition officer must enter in a list kept for the purpose of recording lost postal signing sheets ("the list of lost postal signing sheets")—

- (a) the name and number of the elector as stated in the register (or the electoral number alone in the case of an elector who has an anonymous entry);
- (b) the number of any postal signing sheet issued under this regulation; and
- (c) where the postal signer whose signing sheet is lost is a proxy, their name and address (or, in the case of a proxy who has an anonymous entry or is the proxy for a person with an anonymous entry, the proxy's electoral number alone or a statement that the proxy is not registered as in the register of parliamentary electors (as the case may be)).

(9) The following provisions apply to the issue of a replacement postal signing sheet under paragraph (6)—

- (a) regulation 87 (except paragraph (2)) (procedure on issue of postal signing sheets);
- (b) regulations 91 (envelopes) and regulation 92 (sealing up of corresponding number lists and security of special lists); and
- (c) subject to paragraph (10), regulation 93 (delivery of postal signing sheets).

(10) Where a postal signer applies in person—

- (a) by 5pm on the day before the last day of the signing period, the petition officer may hand a replacement postal signing sheet to the postal signer, or
- (b) after 5pm on the day before the last day of the signing period, the petition officer may only hand a replacement postal signing sheet to the postal signer,

instead of delivering it in accordance with regulation 93.

Lost postal signing sheets: Northern Ireland

97.—(1) Where a postal signer claims either to have lost or not to have received—

- (a) the postal signing sheet,
- (b) the declaration of identity, or
- (c) one or more of the envelopes supplied for their return,

by the fourth day before the last day of the signing period, the postal signer may apply (whether or not in person) to the petition officer for a replacement signing sheet.

(2) Such an application must include evidence of the postal signer’s identity.

(3) Where a postal signer exercises the entitlement conferred by paragraph (1), they must return the documents (if any) referred to in paragraph (1)(a) to (c) which the postal signer has received and which have not been lost.

(4) Any postal signing sheet or declaration of identity returned in accordance with paragraph (3) must be cancelled immediately and the petition officer must take any administrative steps which that officer considers appropriate for the purpose of preventing an elector signing the petition more than once.

(5) The petition officer, as soon as practicable after cancelling those documents, must make them up in a separate packet and must seal the packet; and if on any subsequent occasion such documents are cancelled, the sealed packet must be opened and the additional cancelled documents included in it and the packet must be again made up and sealed.

(6) The petition officer must issue another postal signing sheet where the application is received by the petition officer before 5pm on the day before the last day of signing period and the petition officer—

- (a) is satisfied as to the postal signer’s identity; and
- (b) has no reason to doubt that the postal signer has either lost or has not received the original postal signing sheet or declaration of identity or one or more envelopes for their return.

(7) The petition officer must enter in a list kept for the purpose of recording lost postal signing sheets (“the list of lost postal signing sheets”)—

- (a) the name and number of the elector as stated in the register (or the electoral number alone in the case of an elector who has an anonymous entry);
- (b) the number of any postal signing sheet issued under this regulation; and

- (c) where the postal signer whose signing sheet is lost is a proxy, their name and address (or, in the case of a proxy who has an anonymous entry or is the proxy for a person with an anonymous entry, the proxy's electoral number alone or a statement that the proxy is not registered in the register of parliamentary electors).
- (8) The following provisions apply to the issue of a replacement postal signing sheet under paragraph (6)—
- (a) regulation 87 (except paragraph (2)) (procedure on issue of postal signing sheets);
 - (b) regulations 91 (envelopes) and 92 (sealing up of corresponding number lists and security of special lists);
 - (c) subject to paragraph (9), regulation 93 (delivery of postal signing sheets).
- (9) Where a postal signer applies in person, the petition officer may hand a replacement postal signing sheet to that person instead of delivering it in accordance with regulation 93.

Cancellation of postal signing sheets

98.—(1) Where, on or after the designated day, a registration officer grants a relevant application or receives a relevant notice and the application or notice is not to be disregarded for the purposes of the petition under regulations 71 or 72 (closing date for applications), that officer must immediately notify the petition officer who must—

- (a) cancel any postal signing sheet issued to the elector or proxy;
 - (b) in the case of an application under regulations 53(4)(a), 54(4)(a) or 58(8) (postal signing sheet to be sent to different address), issue a replacement postal signing sheet; and
 - (c) take any administrative steps which the petition officer consider appropriate for the purpose of preventing an elector signing the petition more than once.
- (2) Where a person returns a postal signing sheet that has been or is to be cancelled in accordance with paragraph (1), it must be dealt with as follows—
- (a) any postal signing sheet, postal signing statement or declaration of identity (as the case may be), or covering envelope returned to the registration officer must be given to the petition officer;
 - (b) any document returned in accordance with this paragraph but not already cancelled in accordance with paragraph (1) must be immediately cancelled;
 - (c) the petition officer, as soon as practicable after receiving and cancelling the documents referred to in subparagraphs (a) and (b), must make them up in a separate packet and must seal the packet, and if on any subsequent occasion documents are returned in accordance with this paragraph, the sealed packet must be opened, the additional cancelled documents included in it and the packet must be again made up and sealed.
- (3) The petition officer must enter in a list kept for the purpose of recording postal signing sheets cancelled under this regulation (“the list of cancelled postal signing sheets”)—
- (a) the name and number of the elector as stated in the register (or the electoral number alone in the case of an elector who has an anonymous entry);
 - (b) the number of any cancelled postal signing sheet;
 - (c) the number of any replacement postal signing sheet issued under paragraph (1);
 - (d) where the postal signer is a proxy, their name and address (or, in the case of a proxy who has an anonymous entry or is the proxy for a person with an anonymous entry, the proxy's electoral number alone or a statement that the proxy is not registered as an elector (as the case may be)).

(4) The following provisions apply to the issue of a replacement postal signing sheet under paragraph (1)—

- (a) regulation 87 (except paragraph (2)) (procedure on issue of postal signing sheets);
- (b) regulations 91 (envelopes);
- (c) regulation 92 (sealing up of corresponding number lists and security of special lists);
- (d) regulation 93 (delivery of postal signing sheets).

(5) For the purposes of this regulation—

- (a) a relevant application is an application under—
 - (i) regulation 51(5)(a) or 52(6)(a) (application to be removed from record),
 - (ii) regulation 51(6) (application to sign the petition by proxy instead of post),
 - (iii) regulation 51(7) (application to sign the petition by post instead of proxy),
 - (iv) regulation 52(7) (application to sign by post or proxy instead of proxy or post respectively),
 - (v) regulations 53(4)(a) or 54(4)(a) (postal signing sheet to be sent to different address),
 - (vi) regulations 57(6) and (7) (appointment of proxies),
 - (vii) regulation 58(8) (application by a postal proxy signer for signing sheet to be sent to different address),
 - (viii) regulation 58(11)(a) (application for proxy to be removed),
- (b) a relevant notice is a notice under regulation 57(9) (cancellation of proxy appointment).

CHAPTER 3

Receipt of Postal Signing Sheet etc

Alternative means of returning postal signing sheets, postal petition statements and declarations of identity.

99.—(1) For the purposes of regulation 39(2) (the count)—

- (a) the manner in which a postal signing sheet and postal petition statement, or declaration of identity (as the case may be) may be returned to any petition signing place is by hand;
- (b) the manner in which such a sheet, statement or declaration may be returned to the petition officer is by hand or by post.

(2) Subject to paragraph (3), the petition clerk must deliver, or cause to be delivered, any postal signing sheet, postal petition statement or declaration of identity returned to that signing place, to the petition officer in the same manner and at the same time as the petition clerk delivers, or causes to be delivered, the packets referred to in regulation 37 (procedure on close of petition).

(3) The petition officer may collect, or cause to be collected, any postal signing sheet, postal petition statement or declaration of identity which by virtue of paragraph (2) the petition clerk would otherwise be required to deliver or cause to be delivered to the petition officer.

(4) Where the petition officer collects, or causes to be collected, any postal signing sheet, postal petition statement or declaration of identity in accordance with paragraph (3) the petition clerk must first make it (or them) up into a packet (or packets) sealed with the petition clerk's own seal.

Persons entitled to be present at proceedings on receipt of postal signing sheet

100. No person may be present at the proceedings on the receipt of postal signing sheets other than—

- (a) the petition officer;
- (b) any assistants of the petition officer;
- (c) a petition clerk; and
- (d) any representative of the Electoral Commission.

Postal ballot boxes and receptacles

101.—(1) The petition officer must provide a separate ballot box for the reception of—

- (a) the covering envelopes returned by the postal signers (“postal signers’ ballot box”); and
- (b) postal signing sheets (“postal ballot box”).

(2) Each such ballot box must be marked “postal signers’ ballot box” or “postal ballot box” (as the case may be) and marked with the name of the petition signing place in relation to which it is to be used at the petition.

(3) The postal ballot box must be shown to those present on the occasion of opening the first postal signers’ ballot box as being empty.

(4) The petition officer must then lock the postal ballot box (if it has a lock) and apply the officer’s seal in such manner as to prevent its being opened without breaking the seal.

(5) For petitions in England and Wales and Scotland, the petition officer must provide the following receptacles—

- (a) receptacle for rejected signing sheets;
- (b) receptacle for signing sheet envelopes;
- (c) receptacle for rejected signing sheet envelopes;
- (d) receptacle for rejected signing sheets (verification procedure); and
- (e) receptacle for postal petition statements (verification procedure).

(6) For petitions in Northern Ireland, the petition officer must provide the following receptacles—

- (a) receptacle for rejected signing sheets;
- (b) receptacle for signing sheet envelopes; and
- (c) receptacle for declarations of identity.

(7) The petition officer must take proper precautions for the safe custody of every ballot box and receptacle referred to in this regulation.

Receipt of covering envelopes

102.—(1) The petition officer must, immediately on receipt (whether by hand or by post) of a covering envelope (or an envelope which is stated to include a postal signing sheet) before the end of the signing period, place it unopened in a postal signers’ ballot box.

(2) Where an envelope, other than a covering envelope issued by the petition officer—

- (a) has been opened, and
- (b) contains a signing sheet envelope, postal petition statement or declaration of identity (as the case may be), or signing sheet,

the first-mentioned envelope, together with its contents, must be placed in a postal signers’ ballot box.

Opening of postal signers' ballot box

103.—(1) Each postal signers' ballot box must be opened by the petition officer in the presence of at least one petition clerk or other person appointed by that officer and any representative of the Electoral Commission who attends for the opening of the postal signers' ballot box.

(2) So long as the petition officer ensures that there is at least one sealed postal signers' ballot box for the reception of covering envelopes up to the end of the signing period, the other postal signers' ballot boxes may previously be opened by the officer in accordance with paragraph (1).

(3) The last postal signers' ballot box and the postal ballot box must be opened at the counting of the signatures under regulation 39 (the count).

Opening of covering envelopes

104.—(1) When a postal signers' ballot box is opened, the petition officer must count and record the number of covering envelopes (including any envelope which is stated to include a postal signing sheet and any envelope described in regulation 102(2)) (receipt of covering envelopes).

(2) The petition officer must open separately each envelope.

(3) For petitions in Northern Ireland—

- (a) the procedure in regulation 105 (procedure in relation to declarations of identity) applies where a covering envelope (including an envelope to which regulation 102(2) applies) contains both a declaration of identity and a signing sheet envelope or, if there is no signing sheet envelope, a signing sheet;
- (b) where a covering envelope does not contain a declaration of identity separately, the petition officer must open the signing sheet envelope to ascertain whether the declaration of identity is inside;
- (c) where the covering envelope does not contain both a declaration of identity (whether separately or not) and a signing sheet envelope or, if there is no envelope a signing sheet, the petition officer must mark the covering envelope "rejected" attach its contents (if any) and place it in the receptacle for rejected signing sheets.

(4) For petitions in England and Wales and Scotland—

- (a) the procedure in regulation 107 (procedure in relation to postal petition statements: personal identifier verification) applies where a covering envelope (including an envelope to which regulation 102(2) applies) contains a postal petition statement;
- (b) where the covering envelope does not contain a postal petition statement separately, the petition officer must open the signing sheet envelope to ascertain whether the postal petition statement is inside;
- (c) where a covering envelope does not contain a postal petition statement (whether separately or not) the petition officer must mark the covering envelope "provisionally rejected", attach its contents (if any) and place it in the receptacle for rejected signing sheets.

(5) In carrying out the procedures in this regulation and regulations 108 (opening of signing sheet envelopes) to 111 (checking lists of rejected signing sheets: England and Wales and Scotland) the petition officer and the petition officer's assistants—

- (a) must keep the signing sheets face downwards and must take proper precautions for preventing any person from seeing the mark made on the signing sheets; and
- (b) must not be permitted to view the corresponding number list used at the issue of the postal signing sheets.

(6) Where an envelope opened in accordance with paragraph (2) contains a postal petition statement or declaration of identity (as the case may be), the petition officer must place a mark in

the marked copy of the postal signers list or proxy postal signers list in a place corresponding to the number of the elector to denote that a postal signing sheet has been returned.

(7) A mark made under paragraph (6) must be distinguishable from and not obscure the mark made under regulation 87 (procedure on issue of postal signing sheets).

(8) As soon as practicable after the last covering envelope has been opened, the petition officer must make up into a packet the copy of the marked postal signers list and proxy postal signers list that have been marked in accordance with paragraph (6) and must seal that packet.

Procedure in relation to declarations of identity: Northern Ireland

105.—(1) A declaration of identity is a valid declaration of identity for the purposes of these Regulations if—

- (a) it is duly signed by the postal signer; and
- (b) in the case of an elector, regulation 39(5) is satisfied (the count).

(2) The petition officer must be satisfied that the declaration of identity is a valid declaration of identity.

(3) Where the petition officer is not so satisfied, the petition officer must mark the declaration “rejected”, attach to it the signing sheet envelope, or if there is no such envelope, the signing sheet and place it in the receptacle for rejected signing sheets.

(4) The petition officer must then compare the number on the declaration of identity against the number on the signing sheet envelope and, where they are the same, the petition officer must place the declaration and the signing sheet envelope respectively in the receptacle for declarations of identity and the receptacle for signing sheet envelopes.

(5) Where—

- (a) the number on a valid declaration of identity is not the same as the number on the signing sheet envelope, or
- (b) that envelope has no number on it and the number is not displayed through a window in it,

the petition officer must open the envelope.

(6) Paragraph (7) applies where—

- (a) there is a valid declaration of identity but no postal signing sheet envelope; or
- (b) the postal signing sheet envelope has been opened under paragraph (5) or regulation 104(3) (b) (opening of covering envelopes).

(7) In the circumstances described in paragraph (6), the petition officer must place—

- (a) in the postal ballot box, any postal signing sheet the number on which is the same as the number on the valid declaration of identity;
- (b) in the receptacle for rejected signing sheets, any other petition signing sheet, with the valid declaration of identity attached and marked “rejected”;
- (c) in the receptacle for rejected signing sheets, any valid declaration of identity marked “rejected” where there is no postal signing sheet;
- (d) in the receptacle for declarations of identity, any valid declaration not disposed of under subparagraph (b) or (c).

Confirming receipt of postal signing statements: England and Wales and Scotland

106.—(1) An elector or a proxy signer who is shown in the postal signers list or proxy postal signers list may make a request, at any time after the first issue of postal signing sheets under

regulation 86 (time when postal signing packs are to be issued) and before the end of the signing period, that the petition officer confirm—

- (a) whether a mark is shown in the marked copy of the postal signers list or proxy postal signers list in a place corresponding to the number of the elector to denote that a postal signing sheet has been returned; and
 - (b) whether the number of the signing sheet issued to the elector or the elector’s proxy has been recorded on either of the lists kept by the petition officer under regulation 110 (lists of rejected postal signing sheets).
- (2) A request under paragraph (1) must—
- (a) be made by any method specified by the petition officer; and
 - (b) include any evidence of the signer’s identity requested by that officer.
- (3) Where a request is received in accordance with paragraph (2) the petition officer must satisfy himself or herself that the request has been made by the elector or their proxy and, if satisfied that it was, provide confirmation of the matters under paragraph (1).

Procedure in relation to postal petition statements: personal identifier verification: England and Wales and Scotland

107.—(1) This paragraph applies in the circumstances described in regulation 104(4)(a) (opening of covering envelopes).

(2) The petition officer must satisfy himself or herself that the postal petition statement is duly completed and as part of that process must compare the date of birth and the signature on the postal petition statement against the date of birth and signature contained in the personal identifier record relating to the person to whom the postal signing sheet was addressed.

(3) Where the petition officer is not satisfied that the postal petition statement is duly completed, the officer must mark the statement “rejected”, attach to it the signing sheet envelope, or if there is no such envelope but there is a signing sheet, the signing sheet and place it in the receptacle for rejected signing sheets (verification procedure).

(4) The petition officer must then compare the number on the postal petition statement against the number on the signing sheet envelope and, where they are the same, the officer must place the statement and the signing sheet envelope respectively in the receptacle for postal petition statements (verification procedure) and the receptacle for signing sheet envelopes.

(5) The petition officer must open the signing sheet envelope where—

- (a) the number on a valid postal petition statement is not the same as the number on that signing sheet envelope; or
- (b) that envelope has no number on it.

(6) Paragraph (7) applies where—

- (a) there is a valid postal petition statement but no signing sheet envelope;
- (b) the signing sheet envelope has been opened under paragraph (5); or
- (c) the signing sheet envelope has been opened under regulation 104(4)(b) (opening of covering envelopes).

(7) In the circumstances described in paragraph (6), the petition officer must place—

- (a) in the postal ballot box, any signing sheet the number on which is the same as the number on the valid postal petition statement;
- (b) in the receptacle for rejected signing sheets (verification procedure), any other signing sheet, with the valid postal petition statement attached and marked “provisionally rejected”;

- (c) in the receptacle for rejected signing sheets (verification procedure), any valid postal petition statement marked “provisionally rejected” where there is no signing sheet;
- (d) in the receptacle for postal petition statements (verification procedure), any valid statement not disposed of under subparagraph (b) or (c).

Opening of signing sheet envelopes

108.—(1) The petition officer must open separately each signing sheet envelope placed in the receptacle for signing sheet envelopes.

- (2) The petition officer must—
 - (a) place in the postal ballot box, any signing sheet the number on which is the same as the number on the signing sheet envelope;
 - (b) place in the receptacle for rejected signing sheets, any other signing sheets which must be marked “provisionally rejected” and to which the signing sheets envelope is to be attached;
 - (c) place in the receptacle for rejected signing sheet envelopes, any signing sheet envelope which must be marked “provisionally rejected” because it does not contain a signing sheet.
- (3) In the application of this regulation to Northern Ireland—
 - (a) references to “provisionally rejected” are to be read as references to “rejected”; and
 - (b) in paragraph 2(c) substitute “receptacle for rejected signing sheet envelopes” with “receptacle for rejected signing sheets”.

Retrieval of cancelled postal signing sheets

109.—(1) Where it appears to the petition officer that a cancelled postal signing sheet has been placed—

- (a) in a postal signers’ ballot box,
- (b) in the receptacle for signing sheet envelopes, or
- (c) in a postal ballot box,

the officer must proceed as follows.

(2) The petition officer must, on at least one occasion on which a postal signers’ ballot box is opened in accordance with regulation 103 (opening of postal signers’ ballot box), also open any postal ballot box and the receptacle for signing sheet envelopes and—

- (a) retrieve the cancelled signing sheet;
- (b) retrieve the postal petition statement or declaration of identity (as the case may be) that relates to a cancelled signing sheet from the receptacle for postal petition statements (verification procedure) or receptacle for declarations of identity (as the case may be);
- (c) attach any cancelled postal signing sheet to the postal petition statement or declaration of identity to which it relates;
- (d) place the cancelled documents in a separate packet and deal with that packet in the manner provided for by regulations 94 and 95 (spoil postal signing sheets) or regulation 98 (cancellation of postal signing sheets); and
- (e) unless the postal ballot box has been opened for the purposes of the counting of signing sheets under regulation 39 (the count), re-lock (if it has a lock) and re-seal the postal ballot box.

Lists of rejected postal signing sheets: England and Wales and Scotland

110.—(1) In respect of any petition, the petition officer must keep three separate lists relating to rejected postal signing sheets as required by this regulation (“lists of rejected postal signing sheets”).

(2) In the first list, the officer must record the signing sheet number of any postal signing sheet for which no valid postal petition statement was received with it.

(3) In the second list, the officer must record the postal signing sheet number which is entered on a valid postal petition statement where that signing sheet is not received with the postal petition statement.

(4) In the third list, the officer must record, for every postal petition statement in the receptacle for rejected signing sheets (verification procedure) immediately prior to sealing—

- (a) the elector’s name and address (and the name and address of the proxy if the elector has a proxy);
- (b) the elector’s number on the register of electors (and that of the proxy if the elector has a proxy);
- (c) the specified reason or reasons for the rejection of the postal petition statement; and
- (d) any other information relating to the rejection that the petition officer considers appropriate, but not the signing sheet number.

(5) The specified reasons that may be given under paragraph (4)(c) for the rejection of a postal petition statement are as follows—

- (a) the signature does not match the example held on the personal identifiers record;
- (b) the date of birth does not match the one held on the personal identifiers record;
- (c) the signature field is blank; or
- (d) the date of birth field is blank.

Checking lists of rejected postal signing sheets: England and Wales and Scotland

111.—(1) Where the petition officer receives a valid postal petition statement without the postal signing sheet to which it relates, the officer may, at any time before the end of the signing period, check the list kept under regulation 110(2) to see whether the number of a postal signing sheet to which the statement relates is entered in that list.

(2) Where the petition officer receives a postal signing sheet without the postal petition statement to which it relates, the officer may, at any time prior to the end of the signing period, check the list kept under regulation 110(3) to see whether the number of that signing sheet is entered in that list.

(3) The petition officer must conduct the checks required by paragraphs (1) and (2) as soon as practicable after the receipt of the packets from every petition signing place.

(4) Where the signing sheet number in the list matches that number on a valid postal petition statement or the postal signing sheet (as the case may be) the petition officer must retrieve that statement or sheet.

(5) The petition officer must then take the appropriate steps under these Regulations as though any document earlier marked “provisionally rejected” had not been so marked and must amend the document accordingly.

Sealing of receptacles

112.—(1) For petitions in England and Scotland and Wales, as soon as practicable after the completion of the procedure under regulation 111(3) and (4) (checking of lists of rejected signing

sheets), the petition officer must make up into separate packets, and seal up such packets, the contents of—

- (a) the receptacle of rejected signing sheets;
- (b) the receptacle of rejected signing sheet envelopes;
- (c) the lists of spoilt, lost or cancelled postal signing sheets;
- (d) the receptacle of rejected signing sheets (verification procedure);
- (e) the receptacle of postal petition statements (verification procedure).

(2) For petitions in Northern Ireland, as soon as practicable after the completion of the procedure under regulation 108 (opening of signing sheet envelopes) the petition officer must make up into separate packets, and seal up such packets, the contents of—

- (a) the receptacle of rejected signing sheets;
- (b) the receptacle of declarations of identity;
- (c) the lists of spoilt, lost or cancelled postal signing sheets.

(3) Any document in those packets referred to in paragraph (1) marked “provisionally rejected” is to be deemed to be marked “rejected”.

Early termination of petition

113. Where a petition is terminated by virtue of section 13 of the Act (early termination of recall petition process) after postal signing sheets have been issued, the petition officer—

- (a) must not take any step or further steps to open covering envelopes or deal with the contents in accordance with the provisions of this Part; and
- (b) must, notwithstanding regulation 104 (opening of covering envelopes) to regulation 108 (opening of signing sheet envelopes), treat all unopened covering envelopes and the contents of those that have been opened as if they were counted signing sheets.

Forwarding of documents

114.—(1) The petition officer must forward to the registration officer at the same time as the petition officer forwards the documents mentioned in regulation 44 (delivery of documents to the registration officer)—

- (a) any packets referred to in regulation 92 (sealing up of corresponding number lists), regulations 94 and 95 (spoilt postal signing sheets), regulations 96 and 97 (lost signing sheets), regulation 98 (cancellation of postal signing sheets), regulation 104 (opening of covering envelopes) and regulation 112 (sealing of receptacles) and subject to regulation 113, endorse on each packet a description of its contents and the name of the petition signing place; and
- (b) a completed statement of the number of postal signing sheets issued, which is to be in the form of Form L in Schedule 2 (forms).

(2) Where—

- (a) any covering envelopes are received by the petition officer after the end of the signing period (apart from those delivered in accordance with the provisions of regulation 99(3) (alternative means of returning postal signing sheets, postal petition statements and declarations of identity),
- (b) any envelopes addressed to postal signers are returned as undelivered too late to be readdressed, or

- (c) any spoiled postal signing sheets are returned too late to enable other postal signing sheets to be issued,

the petition officer must put them unopened in a separate packet, seal up such packet and endorse and forward it at a subsequent date in the manner described in paragraph (1).

(3) A petition officer, must at the same time as forwarding the documents mentioned in paragraph (1)—

- (a) forward the list required to be compiled under regulation 110(4) (lists of rejected postal signing sheets) to the relevant registration officer; and
- (b) where the constituency comprises any part of the area of more than one local authority, the petition officer must also forward a copy of such extract of the list required to be compiled under regulation 110(4) as are relevant to each of the other registration officers concerned.

(4) Regulation 45 (orders for the production of documents) and regulation 46 (retention of documents) are to apply to any packet or document forwarded under this regulation except that in applying those provisions the list compiled and any extracts from it under regulation 110(4) (lists of rejected postal signing sheets) must be treated in the same manner as a counted signing sheet.

(5) In the application of this regulation to Scotland, the petition officer is not required to forward the documents mentioned to the registration officer but instead the petition officer must retain those documents and regulation 47 (retention and disposal of documents: Scotland) is to apply to those documents as it applies to documents retained under that regulation.

(6) A copy of the statement referred to in paragraph (1)(b) is to be provided by the petition officer to the Secretary of State and the Electoral Commission in the period which starts 10 days after the day of the signing period ends 15 days after that date.

(7) In the application of this regulation to Northern Ireland—

- (a) a reference to the registration officer is a reference to the Clerk of the Crown for Northern Ireland; and
- (b) in paragraph (6), the copy of the statement mentioned in that paragraph is to be provided to the Electoral Commission only.

Notification of a rejected postal petition statement: England and Wales and Scotland

115.—(1) Where an absent signer for a petition in England and Wales or Scotland appears on the list compiled under regulation 110(4) (lists of rejected postal signing sheets)—

- (a) the registration officer responsible for the personal identifiers record that contains information in respect of the absent signer must notify the absent signer (and the elector if the absent signer is a proxy) that the signing sheet concerned was rejected because the petition officer was not satisfied that the postal petition statement was duly completed;
- (b) the registration officer must send the notification as soon as possible, and within the period of three months beginning with the last day of the signing period; and
- (c) the notification must include information as to which of the specified reasons referred to in regulation 110(5) applied to the postal petition statement.

(2) The registration officer is not obliged to send a notification—

- (a) to any person who is no longer shown as signing the petition by post in the record kept under regulation 51(4) or regulation 58(7) at the time the registration officer proposes to send the notification; or
- (b) where the registration officer suspects that an offence may have been committed in relation to the postal signing sheet, the postal petition statement or the absent signer's entitlement to sign the petition under section 10 of the Act (persons entitled to sign a recall petition).

(3) A notification issued under paragraph (1) may also include any other information that the registration officer considers appropriate, but a notification must not include information held on the personal identifiers record.

**Requirement to provide fresh signature following rejection of a postal petition statement:
England and Wales and Scotland**

116.—(1) This regulation applies where an absent signer is notified under regulation 115 (notification of a rejected postal petition statement) that the signature on the postal petition statement with which they were issued does not match the example held on the personal identifiers record, and the person continues to be shown on the record kept under regulation 51(4) as signing the petition by post.

(2) Where this regulation applies, the registration officer may require the absent signer to provide a fresh signature for the personal identifiers record in accordance with regulation 59 (the personal identifiers record).

PART 6
OFFENCES

Interpretation

117. In this Part, in the application of—

- (a) regulation 122 (tampering with signing sheets etc.),
- (b) regulation 123 (requirement of secrecy),
- (c) regulation 124 (prohibition on publication of exit polls),
- (d) regulation 131 (details to appear on petition publications),
- (e) regulation 132 (prohibition of paid canvassers),
- (f) regulation 133 (providing money for illegal purposes),
- (g) regulation 137 (absent signing),

to a petition in Scotland or Northern Ireland, the reference to a fine on a summary conviction is to be read as a fine not exceeding the statutory maximum for Scotland or the statutory maximum for Northern Ireland (as the case may be).

Personation

118.—(1) A person is guilty of a corrupt practice if they commit, or aid, abet, counsel or procure the commission of, the offence of personation.

(2) A person is guilty of personation if they—

- (a) sign a petition in person or by post as some other person, whether as an elector or as proxy, and whether that other person is living or dead or is a fictitious person; or
- (b) sign a petition, in person or by post, as proxy—
 - (i) for a person whom they know or have reasonable grounds for supposing to be dead or to be a fictitious person, or
 - (ii) when they know or have reasonable grounds for supposing that their appointment as proxy is not in force.

(3) For the purposes this regulation, a person who—

- (a) has their signing sheet endorsed under regulation 29 (signing sheets endorsed by petition clerk),
- (b) applies for a signing sheet for the purpose of signing by post,
- (c) marks a postal signing sheet with a signature or otherwise and returns it,

is also to be taken to have signed the petition.

Other signing offences

119.—(1) A person is guilty of an offence if that person—

- (a) signs a petition in person or by post, whether as an elector or as proxy, knowing that they are not entitled to do so;
- (b) applies to sign a petition by proxy or by post as an elector, knowing that they are not entitled at any time during the signing period to sign the petition;
- (c) applies for the appointment of a proxy to sign a petition for them knowing that they or their prospective proxy is not entitled at any time during the signing period to sign the petition; or
- (d) signs a petition in person or by post, as proxy for some other person, knowing the other person is not entitled to do so.

(2) A person is guilty of an offence if they—

- (a) sign a petition in any signing place when there is in force an appointment of a person to sign the petition as their proxy in another signing place;
- (b) sign in person a petition they are only entitled to sign by post;
- (c) apply for a person to be appointed as their proxy to sign a petition without applying for the cancellation of a previous appointment of a third person then in force in respect of that petition or without withdrawing a pending application for such an appointment.

(3) A person is guilty of an offence if they sign a petition in person as proxy for an elector at which that person is entitled to sign by post as proxy for that elector.

(4) A person is guilty of an offence if they sign a petition as proxy for more than two persons of whom they are not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.

(5) A person is guilty of an offence if they knowingly induce or procure another person to do an act which is, or but for that other person's want of knowledge would be, an offence by that other person under any of paragraph (1) to (4).

(6) For the purposes this regulation, and subject to paragraph (7), a person who—

- (a) has their signing sheet endorsed under regulation 29 (signing sheets endorsed by petition clerk),
- (b) applies for a signing sheet for the purpose of signing the petition in person, or
- (c) marks a postal signing sheet with a signature or otherwise and returns it,

is also to be taken to have signed the petition.

(7) For the purposes of determining whether an application for a signing sheet constitutes an offence under paragraph (1), a previous application made in circumstances which entitle the applicant only to mark a tendered signing sheet shall, if that right is exercised, be disregarded.

(8) A person is not guilty of an offence under paragraph (2)(b) or (3) only by reason of their having signed a tendered signing sheet in pursuance of regulation 30 (tendered signing sheets).

(9) An offence under this regulation is an illegal practice.

Offences relating to applications for postal and proxy signing

120.—(1) A person commits an offence if they—

- (a) engage in an act specified in paragraph (2) in relation to a petition; and
- (b) intend by doing so to deprive another person of an opportunity to sign the petition, to secure a signature on the petition, or to gain money or property of any description.

(2) These are the acts—

- (a) applying as some other person to sign a petition by post or proxy (whether that other person is living or dead or is a fictitious person);
- (b) otherwise making a false statement in, or in connection with, an application to sign a petition by post or proxy;
- (c) inducing the petition officer to send a postal signing sheet or any communication relating to signing a petition by post or proxy to an address which has not been agreed to by the person entitled to sign the petition;
- (d) causing a communication relating to signing a petition by post or proxy or containing a postal signing sheet not to be delivered to the intended recipient.

(3) In paragraph (2), a reference to signing the petition by post includes signing the petition by post as a proxy and postal signing sheet is to be construed accordingly.

(4) A person who commits an offence under paragraph (1) or who aids, abets, counsels or procures the commission of such an offence is guilty of a corrupt practice.

Breach of official duty

121.—(1) If a person to whom this regulation applies is, without reasonable cause, guilty of any act or omission in breach of that person’s official duty, they are liable on summary conviction to a fine.

(2) A person to whom this regulation applies is not liable for breach of their official duty to any penalty at common law and no action for damages will lie in respect of the breach by such a person of their official duty.

(3) The persons to whom this section applies are—

- (a) the Clerk of the Crown (or, in Northern Ireland, the Clerk of the Crown for Northern Ireland),
- (b) any registration officer, petition officer or petition clerk,
- (c) any other person whose duty it is to be responsible after a petition for the used signing sheets and other documents (including returns and declarations as to expenses),
- (d) any official designated by a universal postal service provider, and
- (e) any deputy of a person mentioned in any of paragraphs (a) to (d) above or any person appointed to assist or in the course of their employment assisting a person so mentioned in connection with their official duties,

and for the purposes of this regulation “official duty” is to be construed accordingly, but does not include duties imposed otherwise than by or under the Act.

Tampering with signing sheets etc.

122.—(1) A person is guilty of an offence if that person—

- (a) fraudulently defaces or fraudulently destroys a signing sheet, the official mark on any signing sheet, or a postal petition statement, declaration of identity or official envelope used in connection with signing the petition by post;

- (b) without due authority supplies a signing sheet to any person;
 - (c) fraudulently puts into a ballot box any paper other than any signing sheet which the person is authorised by law to put in;
 - (d) fraudulently takes out of any petition signing place a signing sheet;
 - (e) without due authority destroys, takes, opens or otherwise interferes with a ballot box or packet of petition signing sheets then in use for the purposes of the petition; or
 - (f) fraudulently or without due authority, as the case may be, attempts to do any of the foregoing acts.
- (2) If a petition officer or petition clerk counting the signing sheets or assisting at the proceedings in connection with the issue or receipt of postal signing sheets is guilty of an offence under this regulation, that person is liable—
- (a) on conviction on indictment to a fine, or to imprisonment for a term not exceeding 2 years, or to both;
 - (b) on summary conviction, to a fine, or to imprisonment for a term not exceeding 6 months, or to both.
- (3) If any other person is guilty of an offence under this regulation, that person is liable on summary conviction to a fine, or to imprisonment for a term not exceeding 6 months, or to both.

Requirement of secrecy

- 123.**—(1) A person to whom this paragraph applies must maintain and aid in maintaining the secrecy of the proceedings in connection with the signing of a petition and must not, except for some purpose authorised by law, communicate to any person before the end of the signing period any information as to—
- (a) the name of any elector or proxy for an elector who has or has not applied for a signing sheet or signed the petition;
 - (b) the number on the register of electors of any elector who, or whose proxy, has or has not applied for a signing sheet or signed the petition; or
 - (c) the official mark.
- (2) Paragraph (1) applies to—
- (a) a petition officer, petition clerk or assistant attending at a petition signing place;
 - (b) any representative of the Electoral Commission so attending.
- (3) A person attending at the counting of signing sheets relating to a petition must maintain and aid in maintaining the secrecy of such proceedings and must not—
- (a) ascertain or attempt to ascertain the number or other unique identifying mark on the back of any signing sheet; or
 - (b) communicate any information obtained when so attending as to the number of signing sheets which have been signed.
- (4) A person must not—
- (a) interfere with or attempt to interfere with a person signing a petition; or
 - (b) communicate to any person the number or other unique identifying mark on the back of the signing sheet issued to a person at a petition signing place.
- (5) A person attending the proceedings in connection with the issue or the receipt of postal signing sheets must maintain and aid in maintaining the secrecy of those proceedings and must not, except for some purpose authorised by law—

- (a) communicate to any person, before the end of the signing period, any information obtained at those proceedings as to the official mark;
 - (b) communicate to any person at any time any information obtained at those proceedings as to the number or other unique identifying mark on the back of the signing sheet sent to any person; or
 - (c) attempt to ascertain at proceedings on the receipt of signing sheets the number or other unique identifying mark on the back of any such sheet.
- (6) A person guilty of an offence under this regulation is liable on summary conviction to a fine or to imprisonment for a term not exceeding 6 months.

Prohibition on publication of exit polls

124.—(1) A person must not, before the end of the last day of the signing period for a petition, publish—

- (a) any statement relating to whether any person has signed the petition where that statement is (or might reasonably be taken to be) based on information given by that person; or
- (b) any forecast as to the result of the petition which is (or might reasonably be taken to be) based on information so given.

(2) A person who contravenes paragraph (1) is liable on summary conviction to a fine or to imprisonment for a term not exceeding six months.

(3) In this regulation—

“forecast” includes estimate; and

“publish” means make available to the public at large, or any section of the public, in whatever form and by whatever means.

Broadcasting from outside United Kingdom

125.—(1) No person must, with intent to influence persons to sign or refrain from signing a petition, include, or aid, abet, counsel or procure the inclusion of, any matter relating to the petition in any licensable programme services (within the meaning of the Broadcasting Act 1990) provided from a place outside the United Kingdom otherwise than in pursuance of arrangements made with—

- (a) the British Broadcasting Corporation,
- (b) Sianel Pedwar Cymru, or
- (c) the holder of any licence granted by the Office of Communications,

for the reception and re-transmission of that matter by that body or the holder of that licence.

(2) An offence under this regulation shall be an illegal practice.

(3) Where any act or omission of an association or body of persons, corporate or unincorporate, is an illegal practice under this regulation, any person who at the time of the act or omission was a director, general manager, secretary or other similar officer of the association or body, or was purporting to act in any such capacity, is deemed to be guilty of the illegal practice, unless that person proves—

- (a) that the act or omission took place without their consent or connivance; and
- (b) that that person exercised all such diligence to prevent the commission of the illegal practice as they ought to have exercised having regard to the nature of their functions in that capacity and to all the circumstances.

Imitation of official petition notice

126.—(1) A person must not, for the purpose of promoting or procuring the success or failure of a petition, issue any official petition notice or a document so closely resembling an official petition notice as to be calculated to deceive.

(2) An offence under this regulation is an illegal practice.

(3) Paragraph (3) of regulation 125 (broadcasting from outside the United Kingdom) applies as if an offence under this regulation as if that offence was an offence under that regulation.

Disturbances at petition meetings: England and Wales and Scotland

127.—(1) A person who at a public meeting to which this regulation applies acts, or incites others to act, in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together is guilty of an illegal practice.

(2) This regulation applies to a political meeting held in the constituency of the MP to whom a petition relates at any time when that MP is subject to a petition process.

(3) If a constable reasonably suspects any person of committing an offence under paragraph (1), that constable may if requested so to do by the chairperson of the meeting require that person to declare to that constable immediately their name and address and, if that person refuses or fails so to declare their name and address or gives a false name and address, that person shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.

Illegal canvassing by police officers

128.—(1) A member of a police force must not by word, message, writing or in any other manner, endeavour to persuade any person to sign a petition held in relation to a constituency wholly or partly within the police area of the force of which that person is a member, or dissuade any person from signing such a petition, whether as an elector or as proxy.

(2) A person who contravenes paragraph (1) is liable on summary conviction to a fine not exceeding level 3 on the standard scale, but nothing in that paragraph shall subject a member of a police force to any penalty for anything done in the discharge of their duty as a member of the force.

(3) In this regulation, references to a member of a police force and to a police area are to be taken in relation to Northern Ireland as references to a member of the Police Service of Northern Ireland and to Northern Ireland.

False statements as to MP or accredited campaigner

129.—(1) A person who, or any director of any body or association corporate which—

- (a) during the period beginning with the giving of notice under section 5 of the Act (Speaker’s notice) and ending with the last day of the signing period,
- (b) for the purpose of affecting the outcome of the petition,

makes or publishes any false statement of fact in relation to the personal character or conduct of a relevant person is guilty of an illegal practice, unless that person can show that they had reasonable grounds for believing, and did believe, the statement to be true.

(2) In paragraph (1), “relevant person” means—

- (a) the MP to whom the petition relates; or
- (b) a person who is an accredited campaigner in relation to that petition.

(3) A person making or publishing any false statement of fact as mentioned above may be restrained by interim or perpetual injunction by the High Court or the county court from any

repetition of that false statement or of a false statement of a similar character in relation to the Member of Parliament and, for the purpose of granting an interim injunction, prima facie proof of the falsity of the statement will be sufficient.

(4) Article 60 of the County Courts (Northern Ireland) Order 1980 (ordinary appeals from the county court in civil cases)(38) will apply in relation to any order of a county court in Northern Ireland made by virtue of subsection (3) above as it applies in relation to any such decree of a county court as is mentioned in paragraph (1) of that Article.

(5) In the application of this regulation for Scotland, a reference to the county court is to be read as a reference to the sheriff.

Payments for exhibition of petition notices

130.—(1) A payment or contract for payment for the purpose of promoting or procuring the success or failure of a petition may not be made to an elector or their proxy on account of the exhibition of, or the use of any house, land, building or premises for the exhibition of, any address, bill or notice, unless—

- (a) it is the ordinary business of the elector or proxy as an advertising agent to exhibit for payment bills and advertisements; and
- (b) the payment or contract is made in the ordinary course of that business.

(2) If any payment or contract for payment is knowingly made in contravention of this regulation at any time after the giving of notice under section 5 of the Act (Speaker’s notice)—

- (a) the person making the payment or contract, and
- (b) if that person knew it to be in contravention of this regulation, any person receiving the payment or being a party to the contract,

is guilty of an illegal practice.

Details to appear on petition publications

131.—(1) This regulation applies to any material which can reasonably be regarded as intended to promote or procure the success or failure of a petition (whether or not it can be so regarded as intended to achieve any other purpose as well).

(2) Material to which this regulation applies and which is, or is contained in, such a document as is mentioned in paragraph (4) to (6), must not be published unless the requirements of that paragraph are complied with.

(3) For the purposes of paragraph (4) to (6) the following details are “the relevant details” in the case of any material falling within paragraph (2), namely—

- (a) the name and address of the printer of the document;
- (b) the name and address of the promoter of the material; and
- (c) the name and address of any person on behalf of whom the material is being published (and who is not the promoter).

(4) Where the material is a document consisting (or consisting principally) of a single side of printed matter, the relevant details must appear on the face of the document.

(5) Where the material is a printed document other than one to which paragraph (4) applies, the relevant details must appear either on the first or the last page of the document.

(6) Where the material is an advertisement contained in a newspaper or periodical—

(38) N.I.S.I 1980/397 (N.I. 3).

- (a) the name and address of the printer of the newspaper or periodical must appear either on its first or last page; and
- (b) the relevant details specified in paragraph (3)(b) and (c) must be included in the advertisement.

(7) Where any material falling within paragraph (2) is published in contravention of that paragraph, then (subject to paragraphs (8) and (9))—

- (a) the promoter of the material,
- (b) any other person by whom the material is so published, and
- (c) the printer of the document,

is guilty of an offence and liable on summary conviction to a fine.

(8) It is a defence for a person charged with an offence under this regulation to prove—

- (a) that the contravention of paragraph (2) arose from circumstances beyond their control; and
- (b) that they took all reasonable steps, and exercised all due diligence, to ensure that that contravention would not arise.

(9) Where an MP (apart from this paragraph) is guilty of an offence under paragraph (7), they are instead guilty of an illegal practice.

(10) In this regulation—

“print” means print by whatever means, and “printer” is construed accordingly;

“the promoter”, in relation to any material to which this regulation applies, means the person causing the material to be published;

“publish” means make available to the public at large, or any section of the public, in whatever form and by whatever means.

(11) For the purpose of determining whether any material is material such as is mentioned in paragraph (1), it is immaterial that it does not expressly mention the name of the MP to whom the petition relates.

Prohibition of paid canvassers

132.—(1) If a person is, either before, during or after a petition, engaged or employed for payment or promise of payment as a canvasser for the purpose of promoting or procuring the success or failure of the petition—

- (a) the person so engaging or employing that person, and
- (b) the person so engaged or employed,

is guilty of illegal employment.

(2) A person guilty of an offence paragraph (1) shall, on summary conviction, be liable to a fine; and on a prosecution for such an offence it shall be sufficient to allege that the person charged was guilty of an illegal employment.

(3) Where an MP (apart from this paragraph) is guilty of an offence under paragraph (1), they are instead guilty of an illegal practice.

(4) Any person charged with an offence of illegal employment may be found guilty of that offence, notwithstanding that the act constituting the offence amounted to a corrupt or illegal practice.

Providing money for illegal purposes

133.—(1) Where a person knowingly provides money—

- (a) for any payment which is contrary to the provisions of the Act or these Regulations,
- (b) for any expenses incurred in excess of the maximum amount allowed by or under the Act, or
- (c) for replacing any money expended in any such payment or expenses,

that person is guilty of an illegal payment.

(2) A person guilty of an offence paragraph (1) shall, on summary conviction, be liable to a fine; and on a prosecution for such an offence it shall be sufficient to allege that the person charged was guilty of an illegal payment.

(3) Where an MP (apart from this paragraph) is guilty of an offence under paragraph (1), they are instead guilty of an illegal practice.

(4) Any person charged with an offence of illegal payment may be found guilty of that offence, notwithstanding that the act constituting the offence amounted to a corrupt or illegal practice.

Bribery

134.—(1) A person is guilty of a corrupt practice if that person is guilty of bribery.

(2) A person is guilty of bribery if that person, directly or indirectly, by themselves or by any other person on their behalf—

- (a) gives any money or procures any office to or for—
 - (i) any person entitled to sign a petition,
 - (ii) any other person on behalf of any person entitled to sign a petition, or
 - (iii) any other person,

in order to induce any person to sign a petition or to refrain from doing so;

- (b) corruptly does any such act on account of any person having signed the petition or refrained from doing so; or
- (c) makes any such gift or procurement to or for any person in order to induce that person to procure, or endeavour to procure, a particular outcome in the petition or a person to sign it or refrain from doing so.

(3) A person is guilty of bribery if upon or in consequence of any gift or procurement mentioned in paragraph (1) that person procures or engages, promises or endeavours to procure a particular outcome in the petition or a person to sign it or refrain from doing so.

(4) For the purposes of paragraphs (2) and (3)—

- (a) references to giving money include references to giving, lending, agreeing to give or lend, offering, promising, or promising to procure or endeavour to procure any money or valuable consideration; and
- (b) references to procuring any office include references to giving, procuring, agreeing to give or procure, offering, promising, or promising to procure or to endeavour to procure any office, place or employment.

(5) A person is guilty of bribery if that person advances or pays or causes to be paid any money to or for the use of any other person with the intent that that money or any part of it will be expended in bribery in relation to a petition or knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery in relation to a petition.

(6) This regulation does not apply to any money paid or agreed to be paid for or on account of any legal expenses incurred in good faith in relation to a petition.

(7) A person signing a petition is guilty of bribery if, before the end of the signing period, that person directly or indirectly by themselves or by any other person on their behalf receives, agrees,

or contracts for any money, gift, loan or valuable consideration, office, place or employment for themselves or for any other person for signing the petition or agreeing to do so or for refraining or agreeing to refrain from doing so.

(8) A person is guilty of bribery if, after the end of the signing period for a petition, that person directly or indirectly by themselves or by any other person on their behalf receives any money or valuable consideration on account of any person having signed the petition or refrained from doing so or having induced any other person to sign or refrain from doing so.

(9) In this regulation, the expression “person signing the petition” includes any person who is or claims to be entitled to sign the petition.

Treating

135.—(1) A person is guilty of a corrupt practice if that person is guilty of treating.

(2) A person is guilty of treating if they corruptly, by themselves or by any other person, at any time after notice is give under section 5 of the Act (Speaker’s notice) in relation to a petition, directly or indirectly give or provide, or pay wholly or in part the expense of giving or providing, any meat, drink, entertainment or provision to or for any person—

- (a) for the purpose of corruptly influencing that person or any other person to sign that petition or to refrain from doing so; or
- (b) on account of that person or any other person having signed the petition or refrained from doing so, or being about to sign the petition or to refrain from doing so.

(3) Every elector or their proxy who corruptly accepts or takes any such meat, drink, entertainment or provision is also guilty of treating.

Undue influence

136.—(1) A person is guilty of a corrupt practice if that person is guilty of undue influence.

(2) A person is guilty of undue influence—

- (a) if that person, directly or indirectly, by themselves or by any other person on their behalf, makes use of or threatens to make use of any force, violence or restraint, or inflicts or threatens to inflict, by themselves or by any other person, any temporal or spiritual injury, damage, harm or loss upon or against any person in order to induce or compel that person to sign a petition or to refrain from doing so, or on account of that person having signed the petition or refrained from doing so; or
- (b) if, by abduction, duress or any fraudulent device or contrivance, that person impedes or prevents, or intends to impede or prevent, the free exercise of the entitlement to sign a petition of an elector or their proxy, or so compels, induces or prevails upon, or intends so to compel, induce or prevail upon, an elector or proxy either to sign a petition or to refrain from doing so.

Absent signing

137. A person who—

- (a) in any declaration or form used for absent signing of a petition, makes a statement which that person knows to be false, or
- (b) attests an application for absent signing of a petition when that person knows that they are not authorised to do so or that it contains a statement which is false,

is guilty of an offence and liable on summary conviction to a fine.

Interference with notices

138. Any person who without lawful authority destroys, mutilates, defaces or removes—

- (a) any notice published by the petition officer in connection with their duties as such,
- (b) or any copies of a document which have been made available for inspection in pursuance of those duties,

is liable on a summary conviction to a fine not exceeding level 3 on the standard scale.

Corrupt and illegal practices

139. Paragraph 25 of Schedule 3 to the Act (corrupt and illegal practices) applies to an offence under this Part that is a corrupt or illegal practice as if that offence were such an offence under that Schedule.

PART 7

MISCELLANEOUS

Questioning the outcome of a petition

140. Schedule 4 (legal proceedings: application to recall petitions of existing provisions) is to have effect.

Public notice of early termination

141.—(1) This regulation applies to a petition which has terminated in accordance with section 13 of the Act (early termination of recall petition process).

(2) The public notice given by the petition officer under section 13(8)(b) must include—

- (a) the name and constituency of the MP to whom the petition related;
- (b) the recall condition which was met in relation to that MP;
- (c) the beginning and end dates of the signing period for that petition;
- (d) the condition under section 13(1) of the Act which has been met.

(3) The petition clerk must forward to the petition officer, as soon as practicable after termination of the petition takes effect, the documents referred to in regulation 37(1)(a) to (f) (procedure on close of petition), which are located at the signing place, in accordance and the provisions of that regulation is to apply to this regulation as it applies to that regulation.

(4) The petition officer must forward to the relevant registration officer as soon as practicable after the early termination of the petition, any documents in the possession of the petition officer referred to in—

- (a) regulation 44(1) (as applied by regulation 44(2)) (delivery of documents to the registration officer), and
- (b) regulation 114 (1) and (2) (forwarding of documents)

and the provisions of those regulations are to apply to this regulation as they apply to those regulations.

(5) In the application of this regulation to Scotland, the petition officer is not required to forward the documents mentioned to the registration officer but instead the petition officer must retain those documents and regulation 47 (retention and disposal of documents: Scotland) is to apply to those documents as it applies to documents retained under that regulation.

(6) In this regulation, the “relevant registration officer” for Northern Ireland is the Clerk of the Crown for Northern Ireland.

Communication of applications, notices etc

142. The requirement in these Regulations that any application, notice, representation or objection should be in writing is satisfied where (apart from the usual meaning of that expression) the text of it—

- (a) is transmitted by electronic means;
- (b) is received in legible form; and
- (c) is capable of being used for subsequent reference.

Electronic signatures and related certificates

143.—(1) A requirement under these Regulations for an application, notice, representation or objection to be signed is satisfied (as an alternative to the signature given by hand) where there is—

- (a) an electronic signature incorporated into or otherwise logically associated with a particular electronic communication; and
- (b) the certification by any person of such a signature.

(2) For the purposes of this regulation an electronic signature is so much of anything in electronic form as—

- (a) is incorporated into or otherwise logically associated with any electronic communication or both; and
- (b) purports to be so incorporated or associated for the purpose of being used in establishing the authenticity of the communication, the integrity of the communication or both.

(3) For the purposes of this regulation an electronic signature incorporated into or associated with a particular electronic communication is certified by any person if that person (whether before or after the making of the communication) has made a statement confirming that—

- (a) the signature,
- (b) a means of producing, communicating or verifying the signature, or
- (c) a procedure applied to the signature,

is (either alone or in combination with other factors) a valid means of establishing the authenticity of the communication, the integrity of the communication or both.

(4) This regulation does not apply to the provision of signatures under regulations 27 (signing procedure: England and Wales and Scotland) and regulation 28 (signing procedure: Northern Ireland) which must be given by hand.

Forms

144.—(1) The petition officer must supply free of charge as many forms for use in accordance with these Regulations as appear to that officer reasonable in the circumstances to any person who satisfies that officer of their intention to use the forms in connection with a petition.

(2) A reference in these Regulations to a form in Schedule 2 identified by a letter is—

- (a) in relation to a petition held in a constituency in Scotland, a reference to the form identified by that letter in Part 1 of that Schedule;
- (b) in relation to a petition held in a constituency in England and Wales, a reference to the form identified by that letter either in Part 1 or Part 2 of that Schedule;

- (c) in relation to a petition held in a constituency in Northern Ireland, a reference to a form identified by that letter in Part 3 of that Schedule unless there is no form with that letter in that Part, in which case it is a reference to the form identified by that letter in Part 1.

(3) Where these Regulations require a form in Schedule 2 to be used, with the exception of Form A (the signing sheet), a form to substantially like effect may be used with such variations as the circumstances may require.

Time

145. In computing any period of time for the purposes of these Regulations any day which is not a working day is to be disregarded⁽³⁹⁾.

Translations etc of certain documents

146.—(1) Subject to paragraph (4), paragraphs (2) and (3) apply to any document which under or by virtue of these Regulations is required or authorised to be given to electors or displayed in any place for the purposes of a petition.

(2) The petition officer who is required or authorised to give or display the document must, as the petition officer thinks appropriate, give or display or otherwise make available in such form as the petition officer considers appropriate—

- (a) the document in Braille,
- (b) the document in languages other than English,
- (c) graphical representations of the information contained in the document,
- (d) other means of making the information contained in the document accessible to persons,

who might not otherwise have reasonable access to the information.

(3) The petition officer required or authorised to give or display the document must also, as the petition officer considers appropriate, make available the information contained in the document in such audible form as the petition officer thinks appropriate.

(4) Paragraphs (2) and (3) do not apply to the signing sheet.

Public notices and declarations

147.—(1) This regulation applies to any public notice which is required by these Regulations to be given by a petition officer.

(2) Public notice must be given by posting the notice in some conspicuous place or places (as the case may be) in the constituency for which the officer acts, and may also be given in such other manner as the officer thinks desirable for publicising it.

Publication of documents

148.—(1) Any failure to publish a document in accordance with these Regulations does not invalidate the document, but this provision does not relieve any person from any penalty for such a failure.

(2) Subject to paragraph (3), where a document is made available for inspection, any person may make a copy (whether in handwriting or by other means) of the whole or any part of such a document.

(3) Paragraph (2) is subject to any restriction as to the making of copies which is imposed by—

- (a) regulation 80(8); and

⁽³⁹⁾ See section 22 of the Act for the definition of working day.

(b) paragraph 3(7) of Schedule 3.

Amendment to section 9(4) of the Act

149. Section 9(4) of the Act (recall petition to be made available for signing) is substituted as follows—

“(4) The wording of a petition signing sheet must include the following—

By signing in the box below, you are signing a petition for *[name of MP]*, the MP for *[name of constituency]*, to lose *[his/her]* seat in the House of Commons.

If at least 10% of eligible people in the constituency sign the petition, *[name of MP]* MP will lose *[his/her]* seat in the House of Commons and a by-election will be held. The loss of *[his/her]* seat does not prevent *[name of MP]* standing in this by-election.

If less than 10% of eligible people in the constituency sign the petition, *[name of MP]* will not lose *[his/her]* seat and therefore no by-election will be held.”.

Modification of section 6C PPERA 2000

150. Section 6C of PPERA 2000 (accredited observers: individuals) is to apply for the purposes of attending the count of a petition under regulation 39 (the count) as it applies for the purposes of attending the proceedings for the counting of votes under that section.

Fee for the copy of the return or declaration or any other document

151. For the purposes of paragraph 9 of Schedule 5 to the Act (inspection of returns and accompanying documents) the prescribed fee under subparagraph (c) is to be 20p for each side of paper supplied under that subparagraph.

Notices in connection with alteration of registers: amendments

152.—(1) The 2001 Regulations, the 2001 (Scotland) Regulations and the 2008 Regulations are amended as follows.

(2) In regulation 36 of both the 2001 Regulations and the 2001 (Scotland) Regulations (notices in connection with registration: England and Wales and Scotland)—

(a) in paragraph (2)—

(i) after “13AB(2)”, for “or” substitute “,”;

(ii) after “(3D)” insert “or 13BC(3) or (6)”; and

(b) after paragraph (3) insert—

“(4) For the purposes of section 13BC(5)(a) of the 1983 Act (alteration of the registers: recall petition), the prescribed time is one hour before the end of the signing period (within the meaning of section 9(2) of the Recall of MPs Act 2015).”.

(3) In the 2008 Regulations—

(a) in regulation 25 (alteration of the registers: Northern Ireland)—

(i) in the heading and in paragraph (2), after “section 13BA(3)” insert “or 13BC”; and

(ii) after paragraph (1), insert—

“(1A) For the purposes of section 13BC(2)(d) of the 1983 Act (alteration of registers: recall petition) the prescribed date is the eleventh day before the beginning of the signing period (within the meaning of section 9(2) of the Recall of MPs Act 2015).”;

- (b) in regulation 44 (notices in connection with registration: Northern Ireland)—
 - (i) in paragraph (2)—
 - (aa) after “13A(2)”, for “or” substitute “;”,
 - (bb) after “(9)” insert “or 13BC(3) or (6)”; and
 - (ii) after paragraph (3) insert—
 - “(4) For the purposes of section 13BC(5)(a) of the 1983 Act, the prescribed time is three hours before the end of the signing period (within the meaning of section 9(2) of the Recall of MPs Act 2015).”.

Name
Parliamentary Under Secretary of State
Cabinet Office